

*town of*  
**CONCEPTION BAY SOUTH**

**Municipal Plan  
2011-2021**



093114.00

Municipal Plan

July 20, 2012

Consolidated Plan

Updated 2017-08

Prepared For:



Prepared By:



**Urban and Rural Planning Act  
Resolution to Approve  
Town of Conception Bay South Municipal Plan  
2011 - 2021**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Conception Bay South

- a) Adopted the Conception Bay South Municipal Plan 2011-2021 on the 17<sup>th</sup> day of April 2012.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan by advertisement, inserted on the 21<sup>st</sup> day and the 28<sup>th</sup> day of April, 2012 in the Shoreline and 21<sup>st</sup> day of April in the Telegram.
- c) Set the 9<sup>th</sup> day of May 2012 at Worsley Park, 52 Worsley Drive, Chamberlains, Conception Bay South, for the holding of a public hearing to consider objections and submissions.

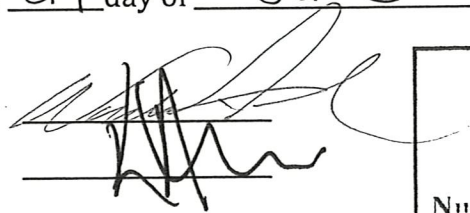
Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Conception Bay South approves the Conception Bay South Municipal Plan 2011- 2021 with the following changes:

- 1. Redesignate land at 939 Conception Bay Highway from Open Space Conservation to Commercial preserving a 20 metre Open Space Conservation buffer along Lower Gullies River.
- 2. Redesignate civic numbers 66 to 80 and 79 to 81 Church Road from Industrial General to Residential Medium Density
- 3. Redesignate land on the west side of Dunns Hill Road, south of Gerald Rideouts Road from Rural to Residential Low Density.
- 4. Redesignate and rezone land on the north side of Conception Bay Highway, east of Pond Road from Commercial to Conservation Open Space.

SIGNED AND SEALED this 27 day of June, 2012

Mayor:

Clerk:



Municipal Plan/Amendment	
<b>REGISTERED</b>	
Number	<u>1145 2012-001</u>
Date	<u>July 2, 2012</u>
Signature	<u>Cowan</u>

# Urban and Rural Planning Act Resolution to Adopt

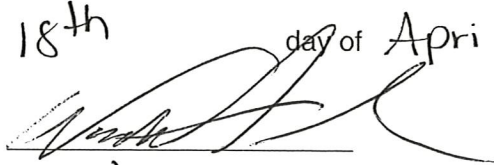
## Town of Conception Bay South Municipal Plan 2011 - 2021

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Conception Bay South adopts the Conception Bay South Municipal Plan 2011-2021.

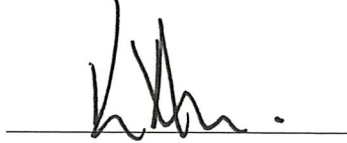
Adopted by the Town Council of Conception Bay South on the 17<sup>th</sup> day April of ~~2011~~ 2012.

Signed and sealed this 18<sup>th</sup> day of April, 2012.

Mayor:




Clerk:



### Canadian Institute of Planners Certification

I certify that the attached Municipal Plan has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

  
M. Bishop, F.C.I.P.

<b>Consolidated Municipal Plan</b>		
<b>Effective Date</b>	<b>Amendment</b>	<b>Description</b>
January 24, 2014	Municipal Plan Amendment No. 1, 2013	Re-designated land at 1516 Conception Bay Highway, Seal Cove from Open Space Conservation to Residential Mixed to accommodate a 30 lot serviced residential subdivision. Implemented by Development Regulations Amendment No. 2, 2013. Map only.
May 30, 2014	Municipal Plan Amendment No. 3, 2013	Re-designated land on the west side of Kirkston Avenue from Open Space Conservation to Residential Medium Density to allow utilization of rear yards for residential purposes. Implemented by Development Regulations Amendment No. 4, 2013. Map only.
June 13, 2014	Municipal Plan Amendment No. 2, 2013	Re-designated land behind existing commercial and industrial properties on Conception Bay Highway, off Butlers Pit Road, Seal Cove from Comprehensive Development Area to Industrial General to accommodate a storage yard and laydown area. Implemented by Development Regulations Amendment No. 3, 2013. Map only.
November 14, 2015	Municipal Plan Amendment No. 5, 2014	Re-designated land between Skylark Place and Juniper Place, Foxtrap from Rural to Residential Medium Density to accommodate a serviced residential subdivision. Implemented by Development Regulations Amendment No. 8, 2014. Map only.
May 22, 2015	Municipal Plan Amendment No. 6, 2014	Re-designated land on the west side of Emerald Creek Drive, Foxtrap from Open Space Conservation to Residential Medium Density to accommodate residential building lots. Implemented by Development Regulations Amendment No. 10, 2014. Map only.
June 26, 2015	Municipal Plan Amendment No. 8, 2014	Re-designated land on Stanleys Road from Residential Medium Density to Commercial Marine to accommodate an expansion of the marina. Implemented by Development Regulations Amendment No. 12, 2015. Map only.



August 21, 2015	Municipal Plan Amendment No. 7, 2014	Re-designated land at the intersection of Easons Road and Conception Bay Highway, Manuels from Residential Medium Density to Commercial Main Street to accommodate the expansion of an existing autobody shop. Implemented by Development Regulations Amendment No. 11, 2015. Map Only.
August 12, 2016	Municipal Plan Amendment No. 11, 2016	Allows General Assembly Use in the Commercial/Light Industrial (CLI) zone. Implemented by Development Regulations Amendment No. 18, 2015. Text Only.
April 21, 2017	Municipal Plan Amendment No. 12, 2016	Re-designated land at 825 Conception Bay Highway, Kelligrews, in part from Commercial-Light Industrial to the Commercial land use class; in part from the Residential Medium Density to the Commercial land use class; and in part from the Commercial-Light Industrial to the Residential Medium Density land use class. Implemented by Development Regulations Amendment No. 19, 2016. Map Only.
June 9, 2017	Municipal Plan Amendment No. 15, 2017	Re-designated land at rear of residential subdivision at 1526 Conception Bay Highway, Seal Cove, from Open Space Conservation to Residential Mixed. Implemented by Development Regulations Amendment No. 22, 2017. Map Only.
August 4, 2017	Municipal Plan Amendment No. 16, 2017	Re-designated land at 353-371 Conception Bay Highway, Long Pond, from Commercial to Residential Medium Density. Implemented by Development Regulations Amendment No. 24, 2017. Map Only.

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# 1.0 Introduction

## 1.1 Purpose of the Plan

The Conception Bay South Municipal Plan is Council's comprehensive policy document for the management of growth within the municipal planning area over the 10-year planning period 2011-2021. Prepared under the authority of the Urban and Rural Planning Act 2000, the Plan repeals and replaces the Conception Bay South Municipal Plan (approved February, 2001).

The Plan outlines a vision for development of the town, and goals, objectives and policies of Council regarding development of the municipal planning area for the next 10 years. The Conception Bay South Municipal Plan consists of written text and Future Land Use and Environmental Overlay Maps.

## 1.2 Plan Review

The public consultation processes for the Town's Municipal Plan Review and Integrated Community Sustainability Plan were combined to enable broad engagement of representatives from community groups and the general public in a dialogue about future sustainability and planning. The Public Consultation Process involved the following:

- Sustainability Workshops;
  - The first workshop, held in Chamberlains, had a focus on Environmental and Economic Sustainability;
  - The second, held in Kelligrews, had a focus on Social and Cultural Sustainability;
- Urban Design Workshop: Envisioning a Friendly Town Centre, with a focus on the commercial area in Manuels/Long Pond along Conception Bay Highway roughly between Bishops Rd and Cherry Lane;
- Online survey;
  - There were 253 responses to the survey providing important input on community vision, and issues that needed to be addressed for the environment, recreation, culture, housing, neighbourhood design, commercial, economy, transportation, governance, infrastructure and servicing of the Town;
- Press releases and public notices advertising the workshops and inviting citizen input were posted in on the Town's website, at the Town office and advertised in the Shoreline and the Telegram newspapers;
- A referral to government and other agencies for comment on interests within the Town;
- Meetings with groups, individuals and land developers concerning various land use and development issues and concerns;
- Open House to present Plan changes and proposals; and
- Statutory Public Hearing.

Issues raised and key themes that emerged in the public consultation process have been considered and are reflected in updates to the Municipal Plan.

### **1.3 Approval**

When the Municipal Plan is formally adopted by resolution of Council under Section 16 (1) of the Urban and Rural Planning Act, Council gives notice of a public hearing on the Municipal Plan. At the public hearing the commissioner appointed by the Council will hear objections and representations, then write a report to Council together with copies of all submissions taken at the hearing.

After the commissioner's report has been submitted, Council considers the recommendations and may approve the Plan, or approve it with changes recommended by the Commissioner. Council then submits the Municipal Plan and accompanying Development Regulations to the Minister of Municipal Affairs to be registered in a planning registry that the Minister shall establish in the Department. The Plan comes into effect on the date notice of its registration is published in the Newfoundland Gazette (Section 24(3)).

### **1.4 The Effect and Variation of the Municipal Plan**

When the Municipal Plan comes into effect it is binding upon Council and upon all other persons, corporations and organizations. The Plan must be reviewed by Council every five years from the date on which it comes into effect and revised to take account of developments which can be foreseen during the next 10-year period.

### **1.5 Municipal Plan Implementation**

Council is required to prepare regulations for the control of the use of land, in strict conformity with the Municipal Plan, in the form of Land Use Zoning, Subdivision and Advertisement Regulations. These "Development Regulations" are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations.

Day-to-day administration of the Municipal Plan and Development Regulations is conducted by staff members authorized by Council, who issue permits for developments approved by Council. Staff also make recommendations to Council on matters pertaining to development in accordance with the Municipal Plan, and enforce the regulations.

### **1.6 Other Plans for Development**

At any time after the adoption of the Municipal Plan, Council can prepare and adopt development schemes under Section 29 of the Urban and Rural Planning Act for the purpose of carrying out specific proposals of the Municipal Plan.

Council may also prepare a development scheme for the acquisition, assembly, consolidation, subdivision, and sale or lease by the municipality, of land and buildings which are necessary to



carry out provisions of the Plan. Development schemes are prepared and approved in the same way as the Municipal Plan and form part of the Plan.

Council may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space, and may make such agreement with owners of the land as will permit its acquisition and use for the purposes. Council may also specify the manner in which any particular area of land is to be used, subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of any development project.

## **1.7 Interpretation**

The following sections and the Future Land Use Map constitute the legally effective parts of the Conception Bay South Municipal Plan.

In this Municipal Plan:

- “Council” shall mean the Council of the Town of Conception Bay South.
- “Development Regulations” shall mean the Conception Bay South Development Regulations.
- “Municipal Planning Area” shall mean the Conception Bay South Municipal Planning Area.
- “Town” shall mean the Town of Conception Bay South.

The boundaries between the different land uses designated in the Municipal Plan are meant to be general, except in the case of roads or other prominent physical features where they are intended to define the exact limits of each category. Where there is any uncertainty, contradiction, or conflict concerning the intended location of a land use designation or land use zoning boundary in the Development Regulations, the Authority shall interpret the exact location of the zoning boundary in a manner that is consistent with the intent and policies of the Municipal Plan without amendment to this Plan or the Development Regulations.

Nothing in the Plan shall affect the continuance of land uses which are lawfully established on the date that this Plan comes into effect.

# 2.0 Planning Context

## 2.1 Potential for Growth

Conception Bay South's population has grown steadily in each census period between 1981 and 2006. While many communities in the province lost young people and families through out-migration during this period, Conception Bay South has continued to attract and retain new families.

**Table 2.1:** Historic population and growth rate

1981	1986	1991	1996	2001	2006	% Change 1981-2006
14,405	16,295	17,590	19,265	19,770	21,965	52%

This has been particularly true over the past decade as growth in the oil and gas industry resulted in significant economic renewal for the province, and the Northeast Avalon region in particular.

The Town can expect continued demographic growth from people moving from other parts of the province and from other Provinces. Statistics indicate that the Town currently captures about 15% of the growth within the Northeast Avalon region. A regional population forecast based on a medium growth scenario prepared for the Northeast Avalon Regional Plan Review, projected future population of Conception Bay South to grow to approximately 25,000 people by the year 2031<sup>1</sup>. However, housing starts in Conception Bay South for the period since 2006 indicate that the Town is capturing a higher percentage of regional population growth than indicated by previous trends on which the projections are based. As a result, the projections may underestimate population increase. At the present time, the Town estimates that the population has already reached 25,000.

Within the regional context, Conception Bay South is strategically located within an easy commuting distance to major employment centres of the region, provides a high level of recreation and other services, and has a strong sense of community identity. These features, combined with a competitive tax rate and reasonable housing prices, is expected to continue to attract new families to the community over the planning period.

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<sup>1</sup> Newfoundland and Labrador Economic Research and Analysis Division, Economics and Statistics Branch, Department of Finance (2008). *Population and Household Projections for the Northeast Avalon Region*.

CBCL Limited, Hemson Consulting, D.W. Knight Associates (2009). DRAFT Northeast Avalon Regional Plan Issues and Analysis Report. Prepared for Newfoundland and Labrador Municipal Affairs and Northeast Avalon Region Municipalities

While the community continues to attract a good proportion of young people and families, like many other North American towns and cities, there is also a growing proportion of older adults, a result of the baby boomer generation (those born between 1947 and 1966) who are now 65 years or older. The most recent (2006) census data for the Town indicate that 22% of the population (4,805) were over 55 years of age. This older segment of the population creates demands for certain health services, recreation facilities and programs, seniors housing and care facilities, and improved accessibility for those with limited mobility.

## **2.2 Land Use Supply and Demand**

The St. John's Urban Region Regional Plan, adopted by the Provincial Government in 1976, and currently under review, sets out a structure for the development of the Region. Under the Regional Plan, Conception Bay South is designated a Sub-Regional Centre. As such, it is meant to be “supportive and complementary to the Regional Centre” of St. John's and Mount Pearl. Over the past three decades, the Town has developed in a manner consistent with the St. John's Urban Region Regional Plan.

### **2.2.1 Residential**

The Town has seen a significant improvement in the quality of residential development over the past decade. As lands have been serviced, new residential developments in backland areas have been possible. Over the past decade, residential development in the town has shifted westward, facilitated by the extension of the Conception Bay South Bypass Road (Route 2) to Legion Road. Completion of this highway to Seal Cove, (currently under construction and expected to be completed within the planning period) with an additional access ramp at Lawrence Pond Road, will facilitate further westward development within the Town.

An improved provincial and regional economy has spurred residential development in the Northeast Avalon region over the past decade. In the 10 year period between 2001 and 2010, 2,295 additional housing units (an average of 230 units per year) have been built in the Town, compared to 1,391 (an average of 139 units per year) in the previous decade. Growth in the residential sector is expected to remain steady over the next decade. Assuming current demand continues through the planning period, an additional 2,300 residential units would be constructed in the Town.

To accommodate new residential growth, approximately 200 ha of land will be required. An analysis of land to accommodate future residential development in the Town indicates that of the 2,562 ha of land currently zoned for residential development, about 50%, or 1,300 hectares are undeveloped and suitable for residential development. However, as the Town has grown and developed, many parcels of suitable land have become isolated and there is a high degree of fragmentation in property ownership, making land assembly difficult. In addition, some areas designated for residential development will remain undeveloped until made serviceable through the extension of municipal services that are part of the Town's infrastructure servicing plan.

The expansion of municipal infrastructure throughout the town continues to open up new lands for development. With the extension of water and sewer servicing westward and the completion of Route 2, Seal Cove is expected to become an area of interest for new development.



Demand for single detached dwellings is expected to remain strong over the next decade as the town continues to attract new families. However, to provide for smaller households, retirees looking for smaller units, and accommodations for singles, there will be an increasing need for a broader mix of affordable housing forms in the town. Higher density forms of housing located close to transportation and services will be needed to accommodate this segment of the population.

Across the Northeast Avalon region, residential estate lot subdivisions are being developed, typically as large lots serviced with onsite water and wastewater systems. The current Municipal Plan does not provide for such developments, requiring all new subdivision development to be serviced from the piped municipal water and sewer system. Interest in providing for this form of development on a limited basis in select locations was identified through the public consultations.

Consultations held during the preparation of the Plan show that residents place a high value on the semi-rural feel of the town, the views of Conception Bay, and the accessibility of neighbourhoods to walking trails and open space. These are valued community assets - both in terms of the quality of residential environments and the value they add to the attractiveness of the community. Improving the quality of residential neighbourhoods, community walkability and pedestrian safety were viewed as priorities for the Town.

### **2.2.2 Commercial**

As the Town has grown, so too has commercial development. Since 2000 there has been close to \$25 million dollars worth of commercial construction in the town, primarily in locations along the Conception Bay Highway in the two main commercial areas located between Manuels Access Road and Terminal Road, and between the Foxtrap Access Road and Piccos Road in Kelligrews. Most of the establishments in these areas are freestanding with very little integration of facilities for parking, pedestrian areas or controlled vehicle access points. Improvements are required to alleviate traffic flow problems, and to improve pedestrian access and safety, and the visual appearance and appeal of the Town's Commercial Main Street areas.

During the 2000 review of the Municipal Plan, lands adjacent to the Bypass Road at Legion Road were identified as having potential for future large format commercial uses and light industrial uses. Since that time the Town has done further study and redesignated the area a Regional Centre, branded as "the Gateway at Conception Bay South". It is intended that this area will become a focus area for retail, office, recreation and leisure facilities within the Town, serving not only the needs of residents of Conception Bay South, but also communities to the west. Consultations showed a high level of support for developing this new centre, with large format retail stores. High development standards with attention to urban design, character, and access to trails are anticipated for this new development.

Over the next decade, opportunities for new retail and service businesses which provide goods and services to the growing population, will increase. With the addition of the new commercial centre at Legion Road, the commercial areas along the Conception Bay Highway will continue to supply mainly local needs.

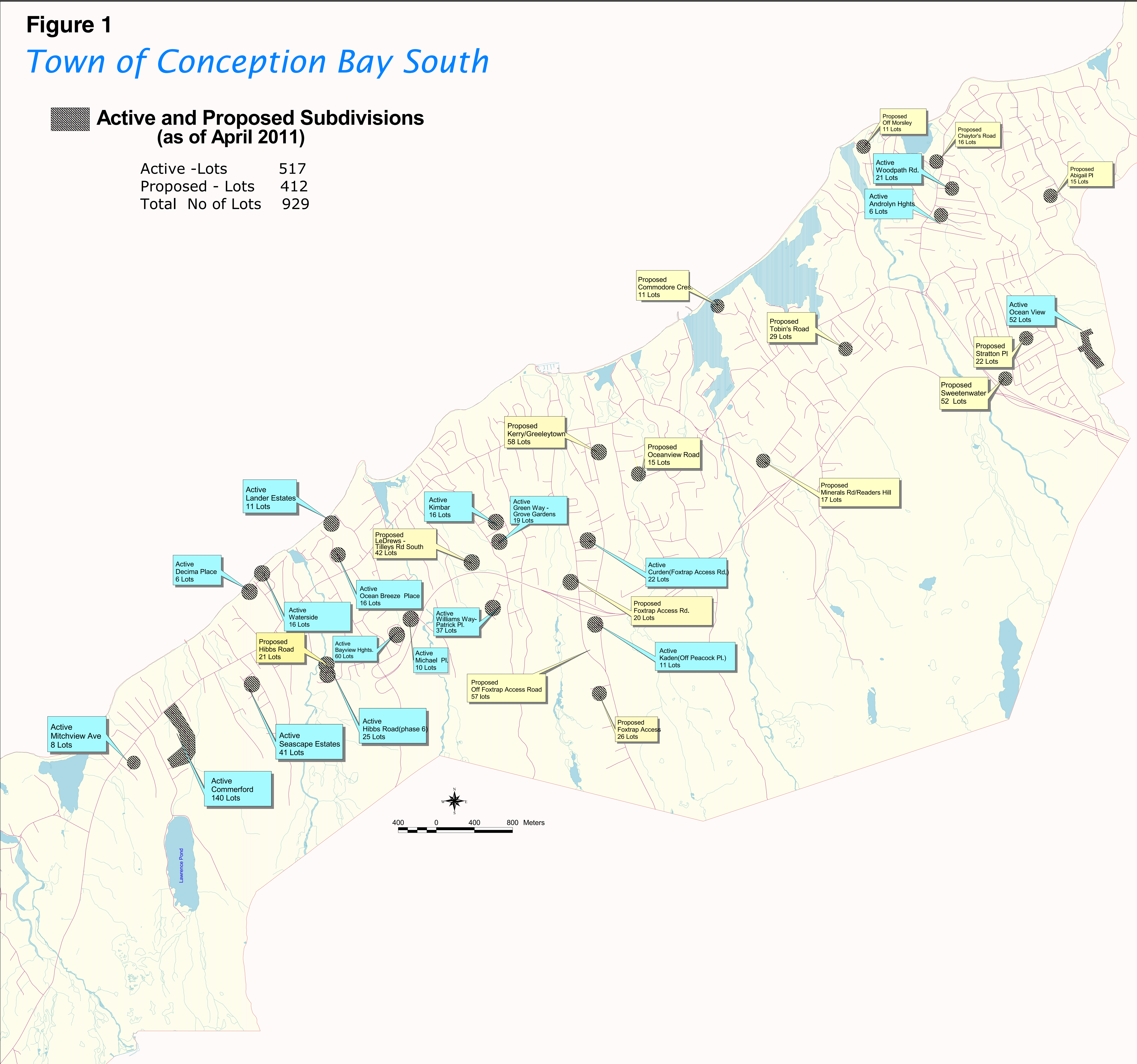


Figure 1

Town of Conception Bay South

Active and Proposed Subdivisions  
(as of April 2011)

Active -Lots	517
Proposed - Lots	412
Total No of Lots	929





### **2.2.3 Industrial**

Over the past decade, development of industrial uses and lands has been largely limited to redevelopment or expansion on existing sites for small-scale industrial uses. The most prominent industrial area of the Town is located at and around the port at Long Pond, where there are facilities for storage and transfer of materials. Adjacent to the port are businesses that provide marine services.

A number of other general industrial uses such as contractors' yards, sawmills, and garages, exist throughout the town surrounded by growing residential neighbourhoods, and along the Conception Bay Highway. Many of these sites have outgrown their current premises, are in conflict with surrounding uses, and owners wish to relocate to designated industrial sites. During the 2000 review of the Plan, lands to the west of the Manuels Access Road at Fowlers Road were identified and designated for industrial uses to accommodate local demand. While the area has yet to be developed, it is ideally suited for such development as it is located away from residential neighbourhoods with good access to services and transportation routes and should be retained to accommodate future industrial needs of the town. A large scrap metal yard in Long Pond is currently being relocated outside the Town. This site offers potential for redevelopment in the future pending environmental assessment and remediation.

There is public support for developing additional local employment and economic opportunities within the Town. Reserving and identifying lands for future industrial development is key to enabling these opportunities.

### **2.2.4 Public Uses**

Public uses such as schools, churches, municipal government offices and recreational facilities are distributed throughout the town. The main concentration of these uses are located at Manuels and Long Pond where several schools, the Municipal offices and recreational complex are located.

The Town is currently undergoing a renewal of buildings and facilities to serve the needs of the growing community. A new administrative building, to be constructed at Stoney Hill, has been designed to accommodate future expansion to include a library and a community centre. A new ice arena is planned for construction at Legion Road, and plans are underway to upgrade fire stations in Topsail and Kelligrews. Over the planning period it is expected that the municipal depot will also be replaced to provide more adequate space for a growing Public Works Department.

The public showed interest in the development of a new community centre during the consultation process and expressed a desire to see other public facilities and amenities incorporated, such as recreation and leisure uses and a cultural heritage museum. Access to the coast for public use also emerged as an important value in the public consultations. Residents expressed the desire to see waterfront areas celebrated and enhanced to enable more public enjoyment of these areas and to promote commercial or residential developments that would facilitate access and enhance the public realm of waterfront areas.

### **2.2.5 Recreation and Open Space**

As the Town has grown, so has demand for public recreational facilities, trails and open space. Facilities such as the Recreation (pool) Complex at Stoney Hill, playing fields and playgrounds have been significantly upgraded and enhanced. In 2008, an Open Space and Recreation Master Plan prepared for the Town recommended a system of facilities, parks and open space and confirmed the T’Railway Park as an important and significant recreational asset in the community. The report also identified a need for pedestrian pathways and recommended ongoing investment in measures to improve the walkability of the community. A detailed plan for development of the T’Railway as a pedestrian and bicycle trail between is currently being prepared.

Two other significant pedestrian trail systems - the Manuels River Trail and trails being developed in Kelligrews by the Kelligrews Ecological Enhancement Project continue to be supported by the Town. Both trail systems provide linkages to the T’Railway Park and are important components in the overall parks and open space system of the Town. The Manuels River Rotary Education Centre is an exciting new facility to be constructed by the Manuels River Natural Heritage Society next to the Manuels River that will provide education, interpretation and other facilities related to the natural heritage of the river and surrounding area. Development of the Regional Gateway Centre at Legion Road will also provide opportunities to create and improve pedestrian linkages to the Keligrews River trails and recreation facilities at Sargeant Ned Nugent Park.

The Open Space and Recreation Master Plan identified school properties as part of the community’s recreational assets, providing both facilities for recreation and opportunities for the Town to partner with the Eastern School District to enhance playing fields around schools. The plan also identified other recreational facility improvements including an additional ice surface at the arena on Legion Road, upgrades to Worsley Park and a public boat launch in Seal Cove. The Plan Review consultations confirmed that the trails and the access they provide to valued natural areas and waterways are very important community assets.

### **2.2.6 Rural Resource Uses**

Several rural resource activities occur within the Town. Agriculture, traditionally an important industry, consists of a number of small vegetable farms spread throughout the town that provide employment and food for residents. Interest in, and demand for locally produced foods has generated interest in establishing a farmers market in the town.

Agricultural lands contribute to the open space and rural character of Conception Bay South where a number of small vegetable farmers produce fresh produce sold locally and in the larger Northeast Avalon urban region. However, as urban expansion continues into the west end of the town, and south of the Conception Bay Bypass Road, these lands are coming under increasing pressure for conversion to residential uses. Once converted to urban uses, such lands cannot be reclaimed and are lost to production. The Town’s Open Space and Recreation Master Plan recommended that the Town establish a fund to be used to acquire properties that contribute to open space in the community, including agricultural lands, and the Province, through the Farmland Consolidation Program, has also purchased properties in the Town which are leased back to farmers.

Forestry uses, including domestic cutting and some small sawmilling activities occur mainly in the southern areas of the Town. While forestry uses are not a significant industry or activity in the community, limited primarily to areas to the south of the Conception Bay Bypass, it is important to recognize the value of forest cover for a variety of values such as visual amenity, wildlife habitat and stormwater management that forests provide.

Aggregate extraction activities occur throughout the town, but most of this activity occurs along Red Bridge Road and in Seal Cove between the Seal Cove River and Lawrence Pond. These activities have come into conflict with residential uses and the Town has taken measures to deal with the negative impacts of such activities. As urban development continues, greater effort will be required to ensure that aggregate extraction activities, particularly the rehabilitation of pits, are conducted in a manner which reduces land use conflict and results in restored sites that are suitable for other uses.

One mine, a pyrophyllite mine south of Long Pond at the end of Minerals Road opened in 1955. While a significant deposit remains to be mined, little mining currently takes place here. Future potential is unknown but it will be important to protect this deposit should there be markets for this mineral in the future.

## **2.3 Environmental Protection**

### **2.3.1 Climate Change Impacts**

Planning in the context of climate change requires that Conception Bay South proactively plan for future development, infrastructure and vital community services with risk reduction in mind. Climate change impacts in Atlantic Canada will include more frequent storm events, increasing storm intensity, rising sea level, higher storm surges, and more coastal erosion and flooding, affecting coastal communities, their infrastructure and industries. The quality of drinking water resources may also come under pressure with these conditions. Conception Bay South has a vulnerable coastline and it is important to keep development of public infrastructure and services as well as private homes and businesses away from most at risk areas, and put measures in place to evaluate development proposals in areas that appear to have moderate risks. A hazard map prepared by province provides indication of high, moderate and low hazard areas<sup>2</sup>. While the report recommends further study, analysis and delineation of the hazard areas identified, it does provide a good start to information with respect to natural hazards, particularly in coastal areas.

### **2.3.2 Waterways and Wetlands**

The 2000 Plan identified major waterways in the town for protection and included policies to prevent encroachment from development. As urban development continues throughout the town, the role of waterways and wetlands becomes ever more important in the management of stormwater runoff and provision of amenity value. Air photo interpretation was done to identify wetlands. It is expected that over the planning period, further study and delineation of wetlands

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<sup>2</sup> Batterson M. and Stapleton N. 2011. Report on Vulnerability to Geological Hazard in the Town of Conception Bay South. Geological Survey Division, Department of Natural Resources.



will be needed to establish more precisely the limits of wetlands to be used to determine appropriate setbacks for future urban development.

### **2.3.3 Alteration of the Landscape**

Throughout Conception Bay South, alteration of the landscape through filling in of wetlands, and cutting and filling on steep slopes continue to be an issue. Particularly evident are areas where backfilling of properties has occurred into conservation areas along streams or into wetlands. Measures to limit and control such activities are needed to ensure the hydrological functioning of waterways and wetlands are not disrupted. In other areas, backfilling of areas of steep slopes to “create” suitable land for development is creating visual eyesores and potentially hazardous conditions.

A number of significant river systems flow through the town before emptying into Conception Bay. These waterways have an important role to play in handling stormwater runoff, and providing wildlife habitat and recreational opportunities for residents. Over the years, development has encroached on the natural drainage systems provided by a number of the waterways and wetlands throughout the town. As the Town grows, there will be a greater need to protect natural drainage systems to prevent erosion and flooding.

During the public consultations, residents and other groups consulted indicated that protection of the natural environment, especially safeguarding the quality of rivers, ponds and coastal areas, should be given priority in development decisions.

## **2.4 Heritage Preservation**

Over the past decade the Town has undertaken initiatives to recognize and designate a number of heritage buildings throughout the Town. There are currently 60 such buildings spread throughout the town, five of which are designated by the Heritage Foundation of Newfoundland and Labrador. One small area in Topsail has been identified as a heritage area. The area includes such residences as O'Driscoll's, The Hermitage and William Hibbs, as well as St. John the Evangelist Anglican Church. Heritage guides and walking tours have been developed to present and promote the history represented in this area. The Town, through its Heritage Committee, has also documented and prepared a series of brochures on the agricultural history of the community.

As property values continue to rise, there is growing pressure to redevelop heritage properties with new, modern buildings. Over the planning period it will be important to consider the value of the community's heritage resources and priorities for protection.

## **2.5 Road Network**

The Town of Conception Bay South has an extensive network (224km) of local and provincial roads which provide important linkages to employment, retail and transportation centres in the Urban Region. An internal network of collector and local streets provides access to residential neighbourhoods, commercial centres and public and recreational facilities within the town. However, as the town has grown, many local streets have begun to function as collector streets.



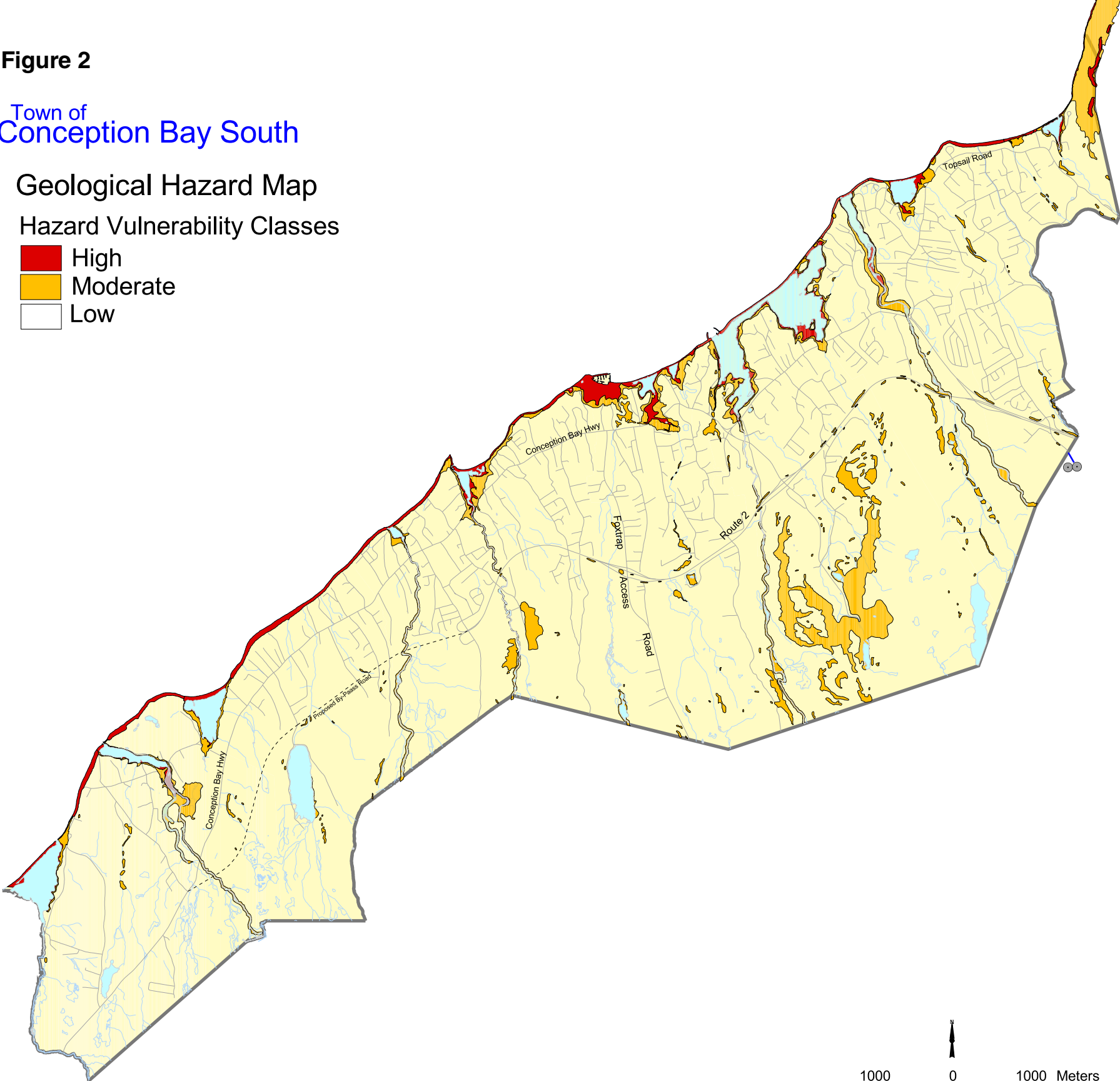
Figure 2

Town of  
Conception Bay South

Geological Hazard Map

Hazard Vulnerability Classes

- High
- Moderate
- Low



Current as of December, 2009.

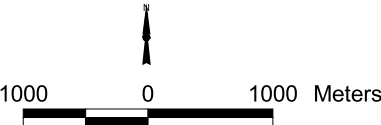
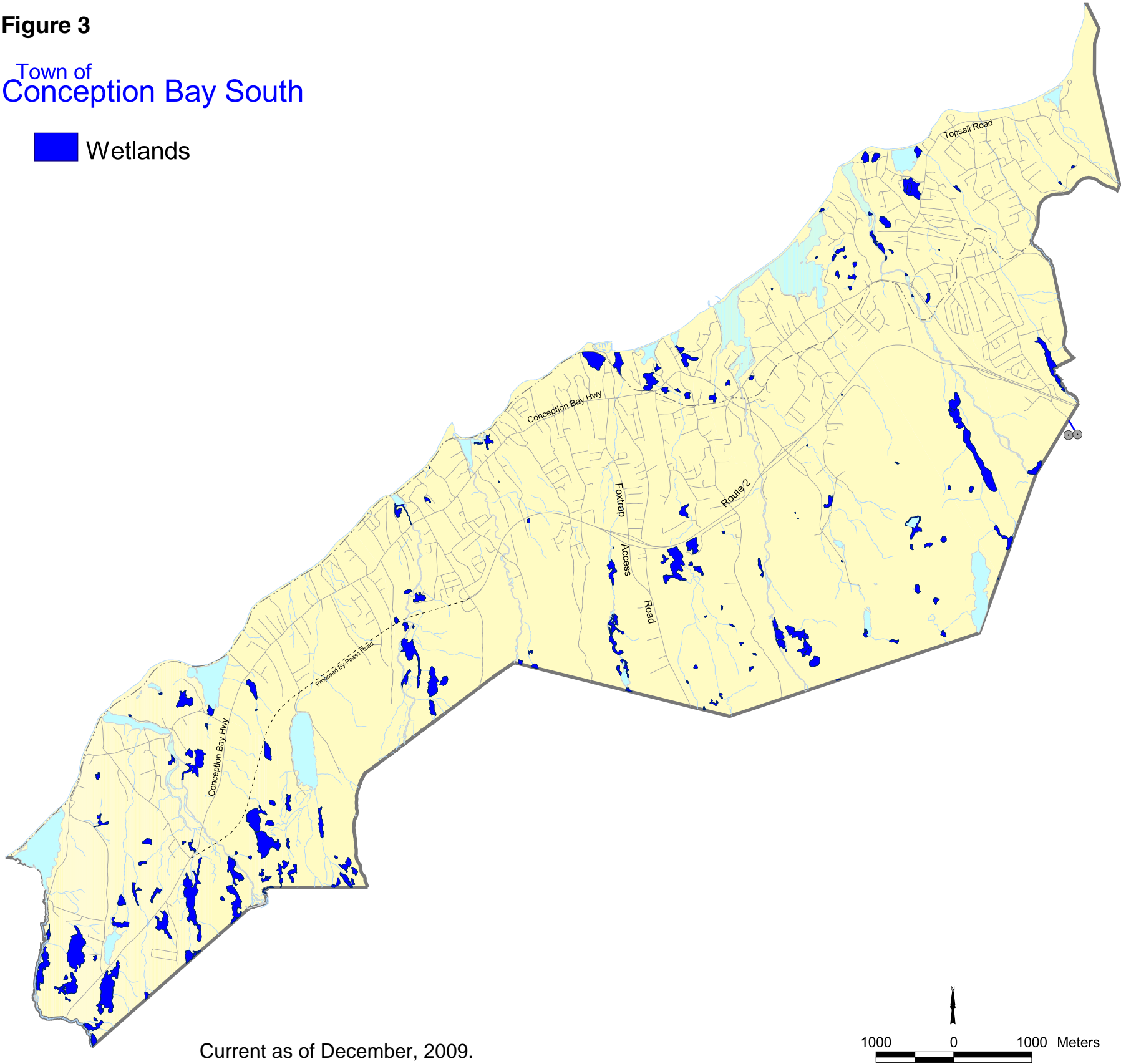




Figure 3

Town of  
Conception Bay South

Wetlands



Current as of December, 2009.

### **2.5.1 Impact of Growth and Development**

Population forecasts for the town show annual growth of at least 0.4% over the next 20 years. Despite slower overall growth, a number of commercial and residential developments are proposed or already active throughout the town. This growth will not only result in increased traffic but also in a redistribution of existing traffic. Some of the key developments, among the many proposed, include:

- **Bypass Extension:** The extension of the Bypass highway will create new development opportunities within the Seal Cove area. Such developments will subsequently increase volumes on both Route 2 and Route 60; particularly commuting traffic between St. John's, Conception Bay South, and communities further west.
- **Legion Road:** The Regional Centre, is expected to generate significant amounts of new traffic. In addition, the extension of Legion Road south of Route 2 will spur demand for residential development in the area. As a result, it is expected that a number of potential roadway improvements will be required to accommodate full development of the Regional Centre.
- **Tilleys Road:** There is significant pressure to create new residential developments along Tilley Road, both north and south of Route 2. Tilley's Road is currently a 2-lane local road with residential development to the north, no direct connection to Route 2, and is not well suited for high traffic volumes.
- **Fowlers Road:** A 2-lane road running north-south at the eastern end of the Town. Most of the land to the west has been developed as residential property and there is pressure to further expand residential development to the east. Increased traffic that would result from the development may create problems as the road is currently not intended to handle large volumes. Improvements may include road widening, introduction of turning lanes, or signalization of intersections.
- In the past, smaller scale residential developments, of less than 20 lots, have been the norm. When considered in isolation, the traffic impacts associated with these developments are minor and relatively inconsequential. However, the combined impacts of multiple developments have begun to overburden some roadways. Many of the roads that were intended to be local streets are now operating outside their intended purpose, and functioning as collector roads. This trend can only be expected to worsen as more development occurs and as developments increase in size.

### **2.5.2 Connectivity**

One of the greatest issues facing the Town from a transportation perspective is lack of connectivity, whether it is between residential developments or major roadways. Connectivity refers to the density of connections in path or road networks, and the directness of links. A well-connected road or pedestrian network has many short links, numerous intersections, and minimal dead-ends (cul-de-sacs). As connectivity increases, travel distances decrease and route options increase, allowing more direct travel between destinations, creating a more

accessible and flexible system. Connectivity can apply both internally (streets within a neighbourhood) and externally (connections with arterials and to other neighbourhoods)<sup>3</sup>.

Residential development in Conception Bay South can be described as fragmented, with little or no connectivity between most neighbourhoods or subdivision. Existing residential areas have developed using what is often referred to as a hierarchical street network, where streets are poorly connected, and most smaller residential streets are cul-de-sacs or crescents, connected to larger, higher-volume collectors or arterials. To complicate matters further, the majority of the 'collectors' linking these smaller streets in the town are not capable of handling large traffic volumes. A hierarchical road network tends to emphasize mobility by accommodating higher traffic volumes and speeds on fewer roads, which increases the amount of travel required to reach destinations, concentrates traffic onto fewer roads, and creates barriers to active transportation modes of travel.

To improve pedestrian safety, the Town has installed sidewalks in some areas along the Conception Bay Highway and the busier collector streets. And sidewalks are required in all new subdivision developments. Today, there are approximately 26km of sidewalks in the Town.

Peak hour traffic movement is predominantly commuter based, in and out of Conception Bay South. Previous studies have shown that nearly 80% of the working population works outside the town with most of these commuters funneling toward Route 2. This pattern highlights the importance of having adequate connections between Route 2 and Route 60. Without continual monitoring and upgrades, an increase in residential developments along the existing connector roads will reduce their ability to accommodate increased traffic demands.

### **2.5.3 Conception Bay Highway**

As the Town's commercial main street, the Conception Bay Highway serves an important function. It is the main traffic route through the town (21km) from Paradise to Holyrood and as such, its appearance and efficiency are very important to the Town's image.

Prior to the completion of Route 2, the 2-lane Conception Bay Highway was upgraded to four lanes to accommodate high traffic volumes. The upgraded section presently runs from Manuels' River Bridge to Foxtrap Access Road. While this has reduced congestion along the highway, high traffic speeds and numerous accesses onto the highway have created dangerous conditions, for vehicles and pedestrians. There is a need in this area to reduce traffic speeds through measures such as the use of traffic lights and other traffic calming devices. Consolidation of accesses is also needed, as is the creation of a "pedestrian friendly" environment through installation of sidewalks and the use of landscaping to improve the area's visual appearance.

In the area between the Foxtrap Access Road and Anthony's Road in Kelligrews where the highway is two lanes, traffic is congested and requires upgrading to accommodate traffic volumes and provide sidewalks for pedestrian safety.

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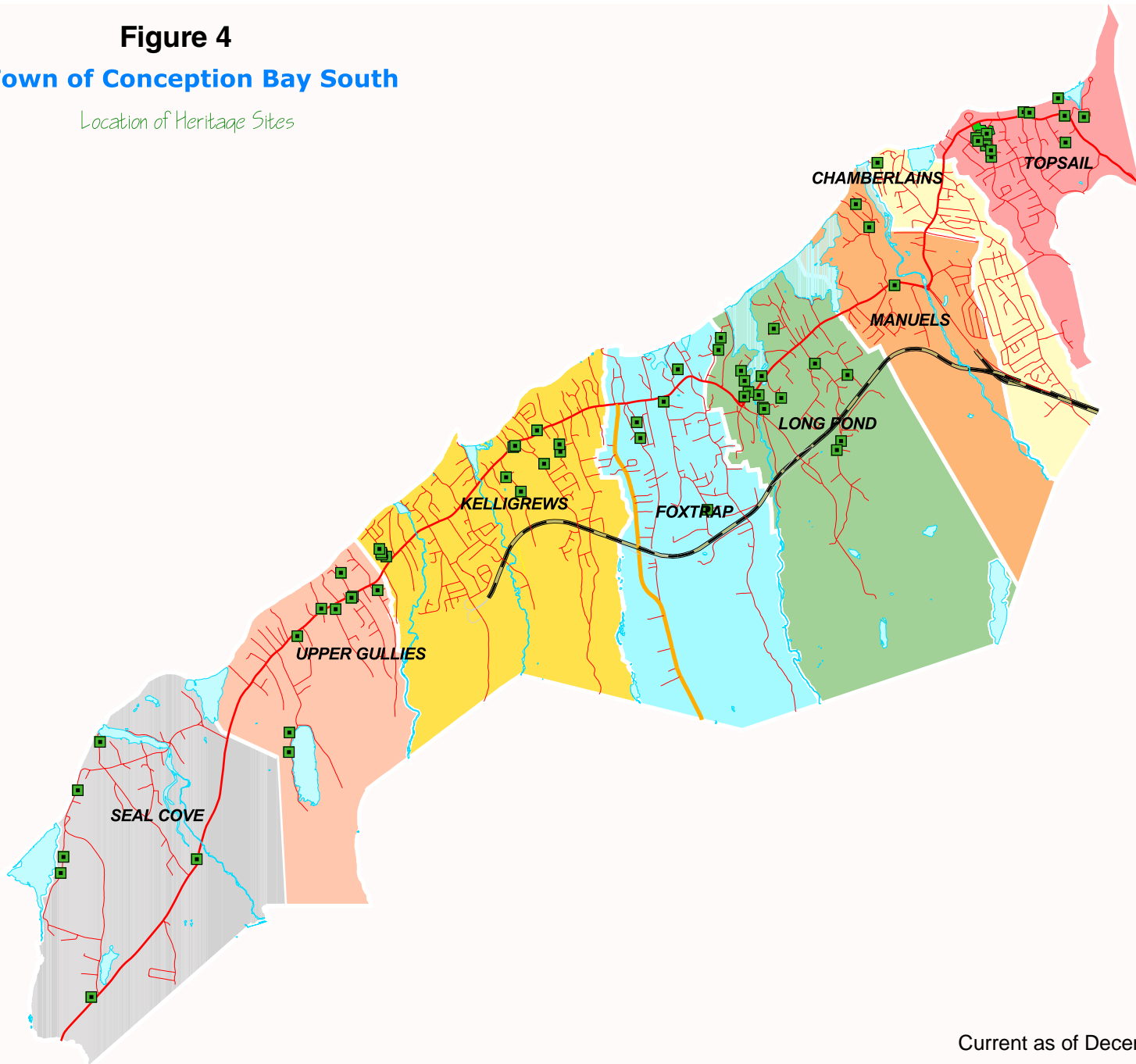
<sup>3</sup> Litman, T. (2011). *Land Use Impacts on Transport: How Land Use Factors Affect Travel Behaviour*. Victoria Transport Policy Institute. Online. <http://www.vtpi.org/landtravel.pdf>



**Figure 4**

**Town of Conception Bay South**

*Location of Heritage Sites*



Current as of December, 2009.

# Figure 5

## Conception Bay South

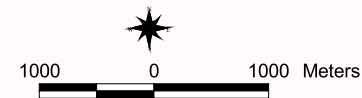
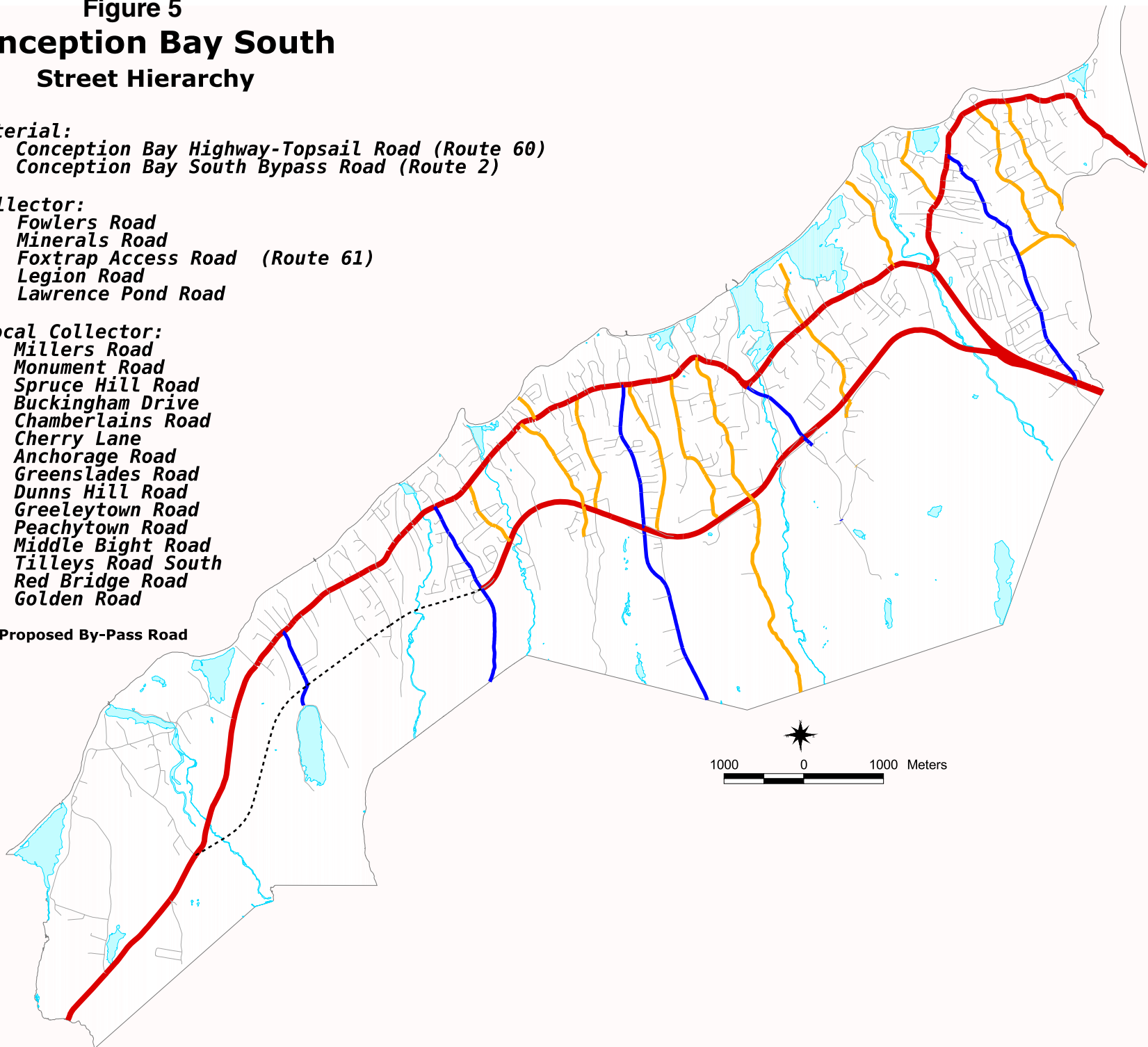
### Street Hierarchy

**Arterial:**  
Conception Bay Highway-Topsail Road (Route 60)  
Conception Bay South Bypass Road (Route 2)

**Collector:**  
Fowlers Road  
Minerals Road  
Foxtrap Access Road (Route 61)  
Legion Road  
Lawrence Pond Road

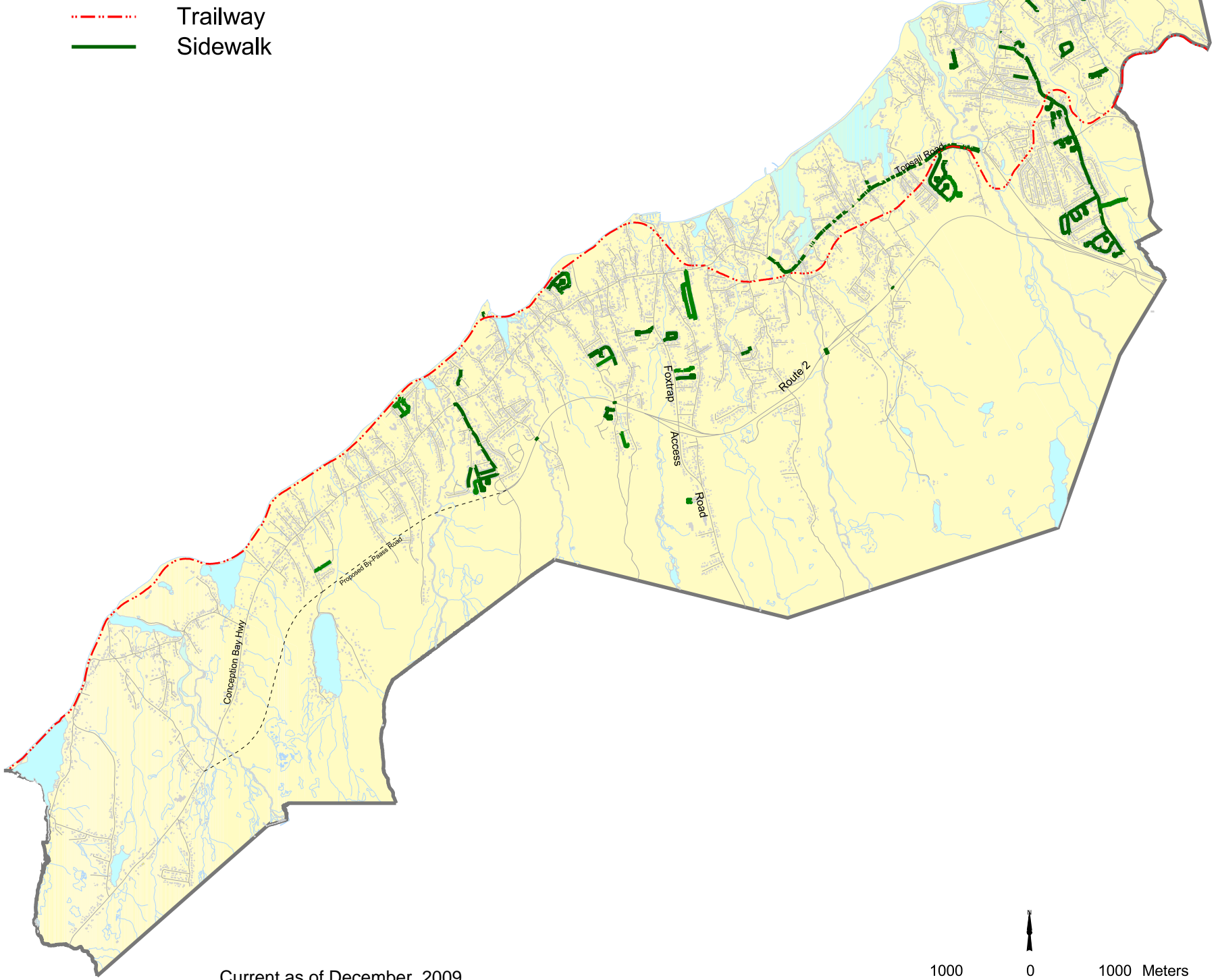
**Local Collector:**  
Millers Road  
Monument Road  
Spruce Hill Road  
Buckingham Drive  
Chamberlains Road  
Cherry Lane  
Anchorage Road  
Greenslades Road  
Dunns Hill Road  
Greeleytown Road  
Peachytown Road  
Middle Bight Road  
Tilleys Road South  
Red Bridge Road  
Golden Road

**Proposed By-Pass Road**





**Figure 6**  
Town of  
Conception Bay South



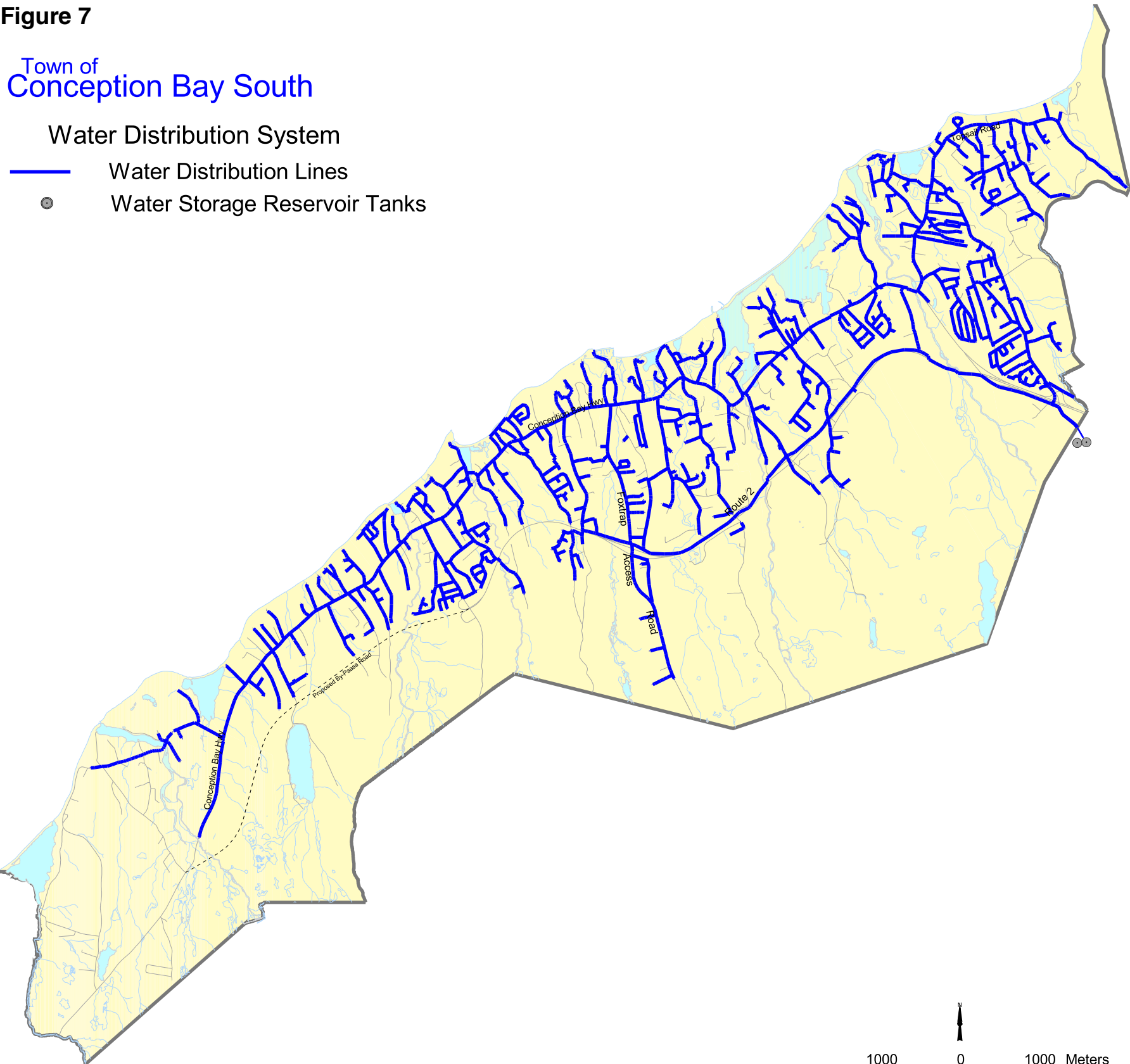
Current as of December, 2009.

Figure 7

Town of  
Conception Bay South

Water Distribution System

- Water Distribution Lines
- Water Storage Reservoir Tanks



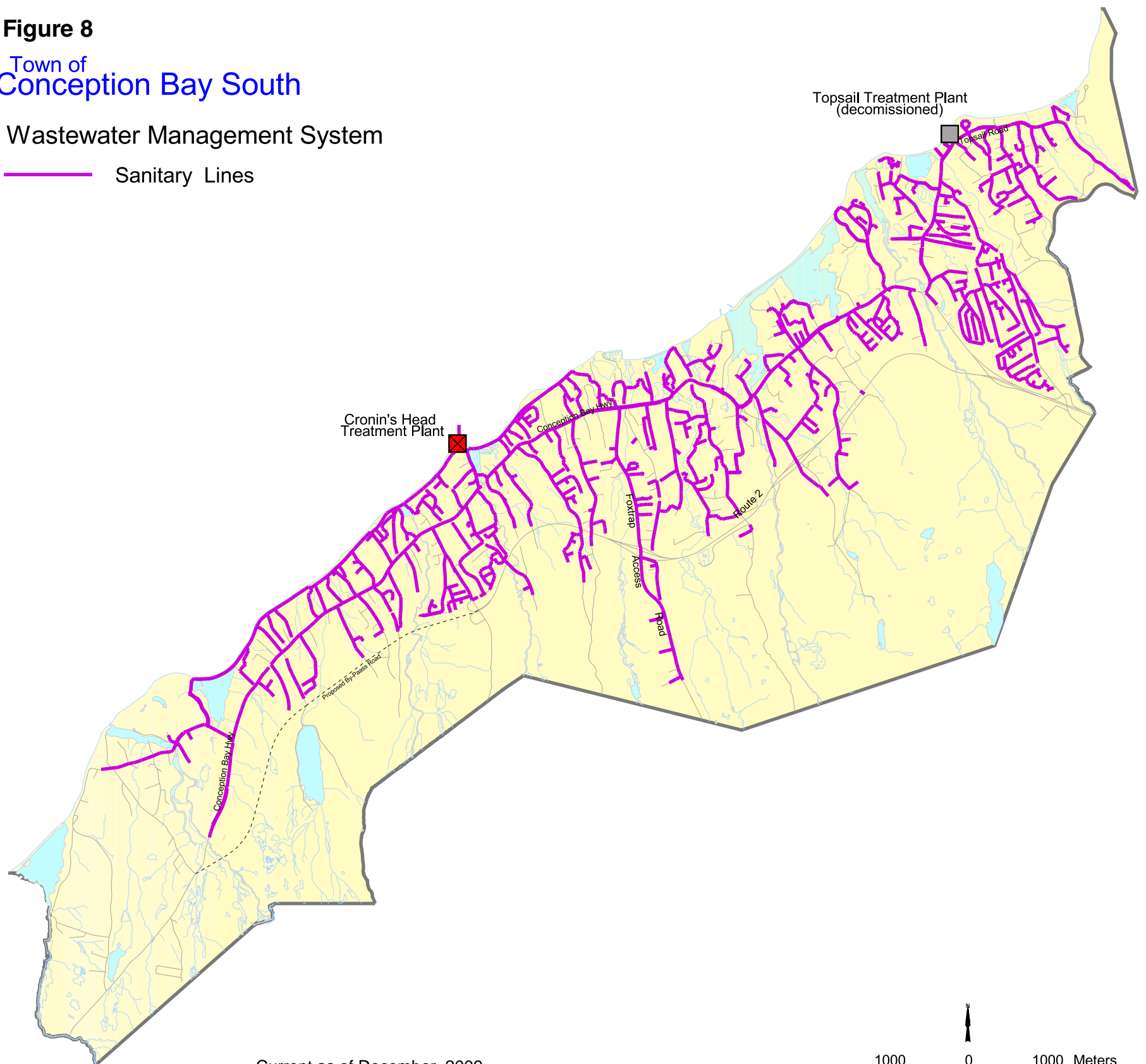
Current as of December, 2009.

**Figure 8**

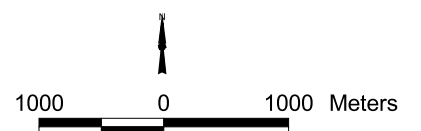
Town of  
**Conception Bay South**

**Wastewater Management System**

— Sanitary Lines



Current as of December, 2009.

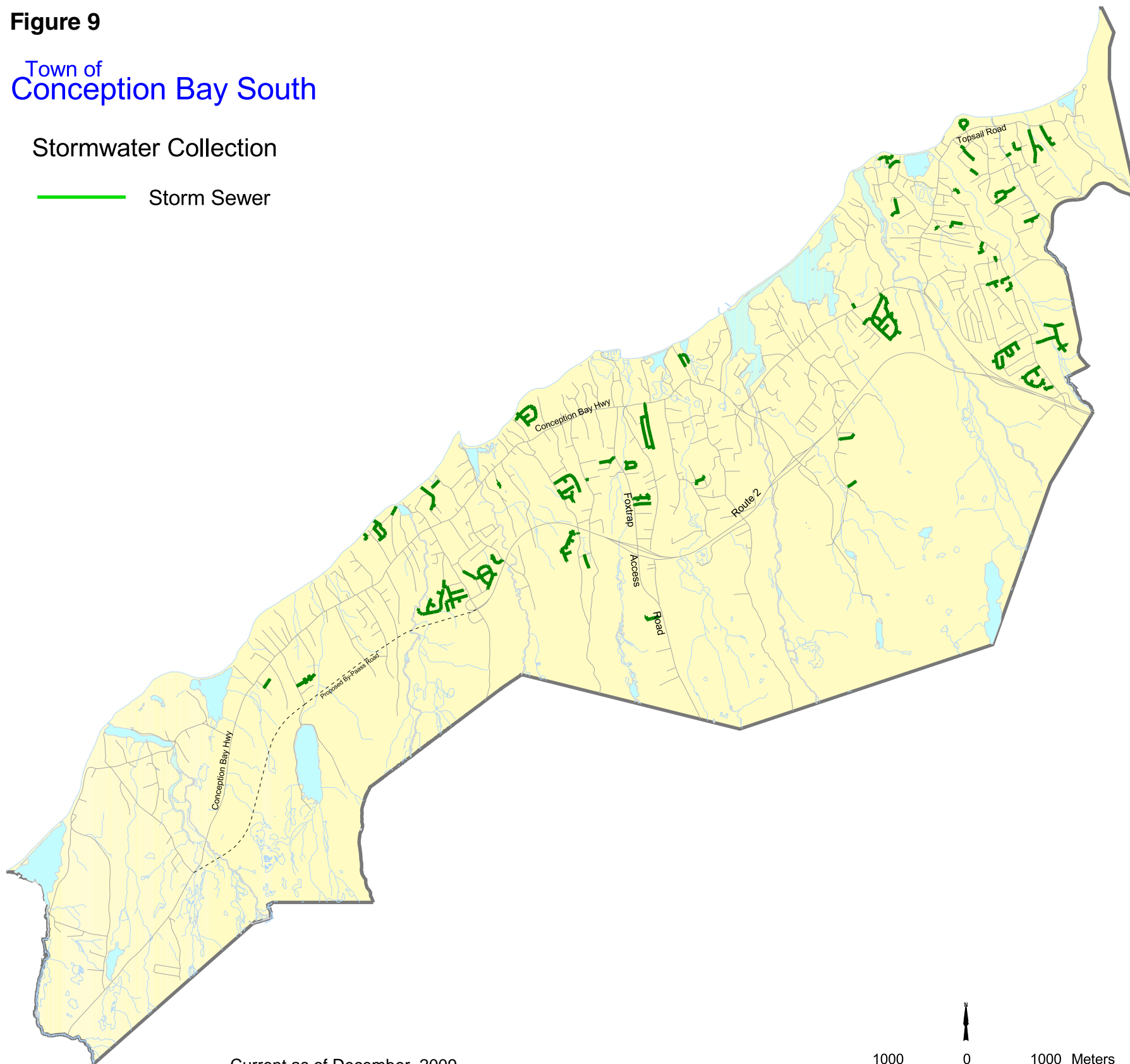


**Figure 9**

Town of  
**Conception Bay South**

**Stormwater Collection**

— Storm Sewer



Current as of December, 2009.

The link between land use and transportation should not be overlooked. As the town grows, the pattern of development is significantly influenced by the street network. Over the planning period, a comprehensive evaluation of the street network will need to be undertaken to model and predict traffic flows, identify specific upgrades and connections to improve the efficiency and cost effectiveness of the street network.

## **2.6 Municipal Services**

Construction of water and sewer infrastructure for Conception Bay South began in 1976 with the installation of a water transmission main from the Bay Bulls Regional Water System to the Town. Over the next decade, significant advances were made in the provision of water and sewer services. A secondary sewage treatment plant was constructed to service the area east of Manuels River and a number of streets were serviced with full water and sewer services in this portion of Town.

By 1982, services had been extended west along the Conception Bay Highway to Manuels River. The next major thrust in the provision of services extended the water main across Manuels River and water and dry sewer lines to the proposed second sewage treatment and disposal site at Kelligrews Point.

Today, 87 % of the Town's streets are fully serviced with piped water and sewer service. All wastewater is currently pumped to the sewage treatment plant at Cronin's head in Kelligrews and the old sewage treatment plant in Topsail will be removed. With the exception of the area west of Seal Cove Road, and some areas south of Route 2, most streets in the town are serviced or scheduled for servicing over the planning period.

The Town has upgraded its water distribution system with development of a water reservoir near Fowler's Road, and there are plans for a second reservoir in Seal Cove. As a member of the St. John's Regional Water Board, the Town participates in regional programs to conserve water during the summer months.

As growth has continued steadily over the past decade, the Town has invested in a program of road maintenance, paving and upgrading. Today, public works accounts for almost one third of annual budget expenditures.

Solid waste will continue to be disposed of at the Robinhood Bay Regional Landfill.

Other services such as Fire Protection have also been expanded and the Town has invested in new equipment and increased the number of firefighters to provide 24 hour full time coverage.

## **2.7 Municipal Finance**

### **2.7.1 Tax Base**

The Town's Municipal Tax Base has increased with the growth of the town. The total tax base is in excess of \$630 million, 90% of which comes from residential property values.

### **2.7.2 Revenues**

The town's tax base has increased over the past decade. In 2001, property and business taxes generated approximately \$5.3 million. By 2011 this had increased to \$13.8 million due largely to new development and steady increases in property values. Of this, a little over 12% is generated from the business tax. This is expected to increase over the next decade as the commercial retail centre at Legion Road is developed.

### **2.7.3 Expenditures**

The Town's municipal operating budget has doubled over the past decade, climbing to \$25.5 million in 2011 from \$12.7 million in 2000. While servicing the Town's debt accounted for in excess of 50% of total expenditures in 2000, today this has been significantly reduced to 22% of operating budget as result of strong financial management, retirement of debt, and strategic spending.

## **2.8 Changes to the Municipal Plan**

The Town of Conception Bay South has evolved over the past thirty years since its amalgamation of nine rural and semi-rural communities into a progressive and rapidly expanding suburban community within the Northeast Avalon Urban Region. Since the first Municipal Plan was approved in the mid 1980s, there has been a gradual evolution of standards and expectations for the quality of development. Today, the public expects development to protect and enhance the environmental and scenic values of the community, and contribute to the quality of life that residents enjoy. This review of the 2001 Municipal Plan provides for future growth and expansion of the Town, but the main focus is on changes for managing new growth in a manner that strengthens environmental protection, improved design and neighbourhood amenity.

### **2.8.1 Connectivity**

The 2001 Municipal Plan has served the Town of Conception Bay South reasonably well over the past decade. However, many of the challenges identified in 2001 Plan have not been adequately addressed. Continuous development of many small cul de sac subdivisions, or larger developments with only one street access have put pressure on many local streets which have now become collector streets. Poor connectivity results in longer car and walking trips for residents, and poses safety concerns for emergency vehicle access. Connectivity of the street and pedestrian network remains a significant issue to be addressed over the planning period.

### **2.8.2 Neighbourhood Plans**

The 2001 Plan provided for planning at the neighbourhood scale. During the planning period, no neighbourhood plans were prepared. As development continues, the need for such plans to be prepared to address various issues such as the connectivity of the street and pedestrian network, open space system, stormwater management and density of development are more appropriate at a neighbourhood level. The current plan retains provisions for neighbourhood level planning.



### **2.8.3 Addressing Climate Change Impacts**

The impacts of climate change are becoming better understood. In Conception Bay South, 23 km of coastline, low lying coastal ponds and a number of river systems mean that development in these areas is vulnerable to flooding and erosion from rising sea levels, storm surges and more frequent and intense storm events. The Plan increases the conservation designation in highly vulnerable areas along the coastline and along major waterways, includes stronger policies to prevent the filling in of wetlands and backfilling on steep slopes. The Plan includes an overlay map of identified hazard areas waterways and wetlands, and provides for site specific analysis in areas where moderate hazard risk has been identified.

### **2.8.4 Land Use Impact Assessment**

As growth and development of the Town continue, there are growing concerns about the impact of developments on the environment, the amenity of neighbourhoods, vehicular and pedestrian traffic, views and municipal services that require more detailed analysis. For the first time, the Plan provides for the preparation of a Land Use Impact Report for developments deemed by the Town to require more detailed evaluation prior to approval.

### **2.8.5 Conservation Subdivision Design and Residential Density Bonus**

The 2001 Plan provided for a range of residential housing forms within the Residential Medium Density Land Use Designation. While some higher density forms of development have been constructed, the predominant housing form continues to be the single family dwelling. The Plan provides for increased residential densities where subdivision design preserves greater open space than the minimum required.

### **2.8.6 Residential Estate Lot Development**

Servicing policies of the 2001 Plan prevented any residential development other than infilling in existing publicly maintained streets to be developed on the basis of on-site wells and septic systems. Such development generally consists of large (1 acre +) lots with large frontages on streets that are not to the same standard as streets in serviced subdivisions. The Plan provides for this form of development in the Residential Low Density Land Use Designation and sets out the criteria for evaluating proposals for this form of development.

### **2.8.7 Growth Policy**

One of the key policies of the 2001 Plan was to concentrate new growth between the coastline and Route 2, moving westward as municipal water and sewer became available. To a large extent, this policy has been successful. Today however, suitable vacant parcels of land have become increasingly difficult to assemble, access and service in this area. With plans to service and develop a commercial centre at Legion Road, development south of Route 2 becomes desirable, particularly in locations with existing services and access to Route 2. The Plan identifies this area for future growth.



In the east of the Town, the area between Fowlers Road and the Town's boundary with the Town of Paradise is also desirable for development and has been identified as an area for new growth. In Seal Cove, portions of areas set aside for future development are now proposed for new growth where piped services are now available. However, it is expected that development in the Seal Cove area will continue to be of a low density due to constraints of topography and the presence of large areas of streams and wetlands.

The 2001 Plan designated the area between the Conception Bay Highway and the T'Railway at Long Pond for commercial use. The intention was to provide greater opportunities and depth for commercial development along the highway. However, very little development other than residential infill along the existing streets in this area has taken place. Located as it is to the main commercial downtown area of the community, this area is ideally suited for commercial uses and higher densities of residential development. With plans for the Regional Centre at Legion Road, it is expected that commercial development in Manuels and Long Pond will continue to be oriented to the Conception Bay Highway. The Plan retains the commercial designation along the highway, and redesignates the backland area to the T'Railway for residential use with policies to promote higher density residential development in this area.

The 2001 Plan continued to identify and zone lands around the Port at Long Pond for industrial uses. There has been little uptake of vacant lands of conversion of residential properties for industrial uses. This plan identifies and reflects areas of existing residential development in this area with the intent that they will continue.

On the east side of Long Pond the 2001 Plan identified an area for comprehensive development with the intention that in future this area would be developed as a harbourfront area with a mix of residential, commercial and recreation uses. While a marina was developed in this area, a lack of suitable street connections, servicing limitations and lack of demand has left this area undeveloped. This plan opens this area up for development of residential uses and implementing a conservation zone around the shoreline to facilitate and preserve public access.

### **2.8.8 Refinements to Land Use Designations**

With an extensive database of geographic and property information, refinements to the land use designations and zoning of land in the community can become more precise. Adjustments have been made to more accurately reflect property boundaries between commercial and residential land use designations.

### **2.8.9 T'Railway Park**

The 2001 Plan identified the T'Railway as a significant recreational asset to the Town. Several studies and changes in use policy have continued to recognize the importance of the T'Railway in the development of the Town's recreational open space system. This plan identifies the T'Railway Right of Way within the Open Space Conservation land use designation, and contains policies concerning the impact of development along it through the provision of appropriate vegetative or other buffers.





### **2.8.10 Urban Design and Landscaping**

As the Town continues to grow and develop, a high standard of design and landscaping are becoming important. The Plan introduces new policies to improve urban design in commercial areas and requirements for professionally designed landscaping in both commercial and residential developments.

### **2.8.11 Environmental Protection**

The natural and recreation value of rivers, streams, ponds and shoreline beaches add significantly to the character and amenity of the town. This plan builds on the 2001 Plan by strengthening environmental policies related to development and alteration of the landscape in and around waterways and wetlands, providing for appropriate separation buffers, identifying and managing development in floodplains, and managing stormwater runoff.



# 3.0 Vision and Guiding Principles

## 3.1 Conception Bay South's Vision for the Future

The "Vision for the Future" is a broad statement of how the community views itself as it moves ahead. It is an ideal and unique image of the future based on the community's values. Following is the "Conception Bay South Vision for the Future":

Conception Bay South is a family-oriented community which values its scenic coastline, landscape, waterways and recreational opportunities. The Town strives to ensure high standards of environmental protection, a vibrant commercial sector, and an efficient street network connecting safe, well-designed neighbourhoods that enable healthy and active lifestyles.

Conception Bay South will strive to be:

- A Town that strongly believes in the necessity of ensuring long-term community sustainability by balancing today's needs, trends, and limited resources against the potential impacts on future generations;
- A Town recognized for the quality of its built environment and the integration of the natural landscape throughout the community;
- A Town that celebrates its legacy as a friendly, family-orientated that is respectful of its heritage yet welcoming to new growth and innovation;
- A Town that is well balanced in terms of local jobs, development, neighbourhood preservation, education, quality of life, transportation, finances, and citizen involvement; and
- A Town that ensures a good balance between residential, commercial, and industrial uses supported by quality infrastructure and transportation systems.

In order to achieve this vision, Council has established community development goals which provide the basis on which specific objectives and land use policies are based.

## 3.2 Guiding Principles for Development

The following principles shall be used by Council to guide development of the Town of Conception Bay South over the planning period.

1. **Evoke a sense of place** - New growth must contribute to a strengthened sense of place through quality development and design that reflects and is compatible with the Town's natural beauty and overall vision.



2. **Investing in public places** - Visual amenities attract and improve opportunities for economic development. Strategic investment in the public realm to improve vehicular and pedestrian access and safety, the visual appearance and comfort of public spaces, is essential to the future development of the Town as a desirable place to live, work and play.
3. **Building and subdivision design to support broader community goals** - Each new development within the Town provides an opportunity to enhance its surroundings and contribute to achievement of broader community goals.
4. **Foster public health and safety** - Public health and safety considerations in the design and management of public places, and in the evaluation of development proposals will ensure the long term health of the community.
5. **Embrace practices of environmental stewardship** - Preservation and restoration of the natural environment, waterways and wetlands, access to the scenic coastline of Conception Bay, and protection of scenic views will contribute to a sustainable and healthy community.
6. **Recognize, anticipate and plan for the impacts of a changing climate** – The community is vulnerable to rising sea levels and more frequent and intense storm events. New growth will be planned for safe locations, away from vulnerable areas.
7. **Build on existing strengths** - Identified strengths of the community - a scenic coastline, linear trail networks, an established agricultural and business community, and arterial road network connections to the Urban Region - will provide the basis for continued community economic development.
8. **Provide a balanced network for movement** - New growth will contribute to development of an efficient, interconnected network of roads, sidewalks and trails to improve vehicle and pedestrian movement throughout the town.

# 4.0 General Objectives and Policies for Growth and Development

## 4.1 Goal

To manage growth in the Town in a manner that ensures orderly development, economic use of municipal services and compatibility between land uses.

## 4.2 Objectives

- Encourage a more compact form of urban development in serviced areas to provide residents with access to schools, shops, and recreational open space areas;
- Identify an adequate supply and variety of land at appropriate locations for a mix of commercial, light and general industrial activities;
- Encourage further consolidation and further development of existing commercial centres in Manuels and Kelligrews; and
- Enhance the town for residents and visitors by designating lands for scenic open space, the protection of environmentally sensitive lands and preservation of views of Conception Bay.

## 4.3 Policies

The land use policies set out in this Chapter apply throughout the Planning Area regardless of the specific land use designation and specific policies that apply to the areas identified on the Future Land Use Map.

### 4.3.1 Growth Strategy

1. **Growth Management** – It is the general policy of this plan to support development that contributes to the orderly growth of the Town through infill subdivision development in areas between the coastline and Route 2, and through comprehensive subdivision development in identified areas to the south of Route 2.
2. **Inter-municipal Cooperation** – The Town will work with adjoining municipalities to cooperatively plan and manage development along joint municipal boundaries to facilitate reasonable and appropriate street connections, environmental protection and servicing arrangements.

### 4.3.2 Neighbourhood Area Plans

1. Council may, during the planning period, specify areas for the preparation and adoption of detailed area plans which are consistent with the goals, objectives and policies of this Plan. Such plans shall identify:

- Opportunities to increase connectivity of streets;
  - Integration of pedestrian networks into the Town's parks and open space system;
  - Infrastructure improvements;
  - Appropriate locations for neighbourhood commercial uses;
  - Environmentally sensitive areas and features; and
  - More detailed application of land use zones.
2. Neighbourhood or subarea plans shall be brought into effect through amendment to this Plan.

#### **4.3.3 Subdivision of Lands**

1. Proposed subdivision of lands for residential, commercial and industrial development will be subjected to evaluation for conformity with the goals, objectives and policies of this Plan and the requirements of the Development Regulations.
2. Council will encourage and support alternative and creative forms of subdivision design such as open space, conservation, and cluster subdivisions as a means of preserving community open space and improving the connectivity of street and pedestrian networks.
3. In residential subdivisions, development of cul de sacs will be discouraged. Wherever possible, provisions for creating street and pedestrian connections to existing streets in adjoining developments, or providing for future street connections to adjacent undeveloped property will be required.
4. Proposed subdivision developments will be subject to a comprehensive evaluation by the Town including: An investigation of the physical features of the site to identify opportunities and constraints to development. Where possible, the layout of roads should conform to the topography;
  - An assessment of how the development contributes to achieving the principles, goals and objectives set out in this Plan;
  - Review of comprehensive subdivision and engineering plans, including cost estimates for the engineering works;
  - A demonstration of how the pedestrian pathways, roads, grading and services mesh with and connect to adjacent lands and provide for future access to undeveloped lands in the area. New subdivision streets shall provide for and contribute to increasing overall connectivity of the town's street network;
  - A review of proposed landscaping, open space, and provision of street trees;
  - An investigation to ensure compatibility between the subdivision and surrounding land uses, both existing and future; and
  - The impact of the development on municipal finances.
5. It shall be a policy of the Town that the transfer of road Right of Ways to the Town in new subdivision developments will be required to the full extent of the developer's property and that no property shall be retained so as to prevent future development of adjoining lands.

#### **4.3.4 Open Space Dedication**

1. A minimum of ten percent (10%) of land proposed for subdivision development shall be dedicated to the Town as useable parkland. Where it is determined by the Town that the land is of insufficient size, inappropriate location, unusable or for any other reason unacceptable, the Town may accept in lieu of land, a sum of money equal to the value of the land that would otherwise be required.
2. Lands dedicated to open space shall be planned so as to enhance public open space and facilitate the integration, expansion and increased quality of the Town's open space system. It shall be a policy of Council to maximize where possible, the contribution of land or cash required for open space dedication from new development to the implementation of the Town's Open Space and Recreation Master Plan.
3. In acquiring lands for public open space through the subdivision approval process, Council shall consider:
  - the existence of other nearby facilities and the potential for integration with existing parkland;
  - quantity and nature of local recreation demand;
  - the suitability of the proposed lands for its intended use;
  - accessibility;
  - compatibility with and impacts on existing and proposed land uses;
  - traffic generation and parking considerations;
  - maintenance considerations;
  - safety and security; and
  - the potential for recreational lands to assist with protecting natural areas.
4. Within a development, lands required to be dedicated for open space will be prepared as required by the Town and in accordance with the subdivision agreement, prior to the issuance of building permits to ensure that adequate open space is provided for new families of the development at the outset.

#### **4.3.5 Development Agreements**

1. It shall be a policy of the Town to enter into agreements for new developments involving the subdivision and/or consolidation of lands for development. Such agreement will be negotiated between the developer and the Town for financing and development of all services (private and/or public) provided to the site, including roads and piped services, constructed to municipal standards and consistent with the policies of this Plan and the Development Regulations.
2. It shall be the intention of Council to require that the provision of all new public infrastructure associated with new developments will be the responsibility of the developer.
3. Where piped services, street connections or other infrastructure above and beyond that which would normally be required for a proposed subdivision development are needed to facilitate development on adjoining lands, the Town may negotiate, through the Development Agreement, a reduction in fees, an increase in development density or some combination of both, up to, but not exceeding the value of the additional costs to the developer. The Town shall recoup these costs through application of a service levy

or third party assessment applied to adjoining properties that benefit from the infrastructure.

#### **4.3.6 Development Guarantees**

1. Development guarantees shall be required as a condition of development where the Town has determined that a guarantee is required for:
  - Ensuring compliance to municipal standards for roads and water and sewer servicing;
  - The payment of service levies;
  - Ensuring landscaping and site reinstatement; and
  - To enforce any other condition attached to a permit.
2. The form of a development guarantee shall be determined by the Town and may be comprised of several forms of financial provision depending on the type and scale of development under consideration by the Town.

#### **4.3.7 Development Design and Neighbourhood Amenity**

The Town is committed to improving the quality and design of developments within the community.

1. No proposed development shall be permitted where Council reasonably expects that it will detract from the quality of the amenity of a neighbourhood or area, generate an excessive amount of traffic, or cause a hazard or nuisance to neighbouring uses.
2. The Town will consider the aesthetic character of site and building design in the approval of site plans within all land use designations. In evaluating development proposals the Town will consider design elements including:
  - Layout, setback, height and bulk of buildings,
  - The relationship of proposed buildings to one another and to other buildings and development in the area
  - The effect of the proposed development on future development of adjoining properties
  - The exterior appearance of proposed buildings, including exterior finish and colour.
  - Outdoor lighting
  - Signs and advertisements
  - Open space around proposed buildings, including landscaping, buffering, pedestrian walkways.
3. Development will be required to meet minimum landscaping standards and requirements as determined by the Town; and where determined by Council to be appropriate, development proposals will be required to be accompanied by a landscape plan, prepared by a professional landscape architect licensed to practice in the Province of Newfoundland and Labrador.
4. The Town will work with other levels of government to ensure that provincial and federal works within the Town are constructed in a manner that contributes to and respects the visual amenity of the Town, and meets the Town's requirements for high quality landscaping.

5. Where the development of land is discontinued or occurs over a significant period of time, undeveloped land must not be left in an unsightly state such that it detracts from the visual quality of a neighbourhood or an area. In such cases, the property shall be rehabilitated and landscaped to an appropriate standard as determined by the Town.

#### **4.3.8 Land Use Assessment**

Where a development or use is proposed that cannot be adequately evaluated, the Town may require the preparation of a Land Use Assessment Report. A Land Use Assessment Report is a report prepared by suitably qualified persons to assess any significant impacts a use or development may have on the urban environment and/or surrounding lands or neighbourhood. The report and any supporting documentation shall be prepared at the expense of the developer unless otherwise determined by Council. The report shall evaluate the impacts identified in a Terms of Reference prepared by the Town, evaluate their importance and recommend measures of control and mitigation where appropriate.

1. Where determined by Council, Land Use Assessment Report(s) may be required as part of the development application review process.
2. Council shall prepare a Terms of Reference setting out the matters that would require assessment in a Land Use Impact Report. These may include, but are not limited to:
  - Impacts on the natural environment (waterways, wetlands, shorelines, fish, plant or animal habitat);
  - Land use impacts on the community;
  - Impacts on the quality of life of residents such as noise, outdoor lighting, views of Conception Bay;
  - Impacts on vehicular and pedestrian safety; and
  - Any other impact analysis consistent with this Plan that Council considers necessary to their consideration of the development.
3. Where determined by Council, the Land Use Assessment Report(s) will be required as part of the development application review process and may require public notification and review.

#### **4.3.9 Conversion of Agricultural Lands**

The Town recognizes the important contribution small-scale agricultural producers make to the production of local foods and the local economy. As the Town has grown, so too has pressure to convert agricultural lands to urban uses.

1. Proposals for development that convert lands used for agricultural purposes, may be required to design the development so as to preserve the most productive and suitable portions of the property. Where this is required, the Town shall allow a similar development density (number of residential units) as would normally be permitted in the Land Use Zone in which the property is located.
2. The Town will establish a land acquisition fund which will be used to acquire properties for the purpose of preserving agricultural lands, open space or environmentally sensitive areas, or for recreation, public or community service uses. With respect to preserving agricultural lands, the Town will also encourage the purchase of farmlands by the Province through the Agricultural Land Consolidation Program.



#### **4.3.10 Access to Shorelines**

The shoreline of Conception Bay is a valued community asset providing opportunities for recreational activities such as swimming, boating, fishing and passive recreation. Maintaining an open and accessible shoreline shall be a priority for the Town.

1. In considering proposals for development adjacent to the coastline or shoreline of ponds, Council will require that existing access points to shoreline areas are retained. Where residential subdivisions in coastline areas are proposed, pedestrian access to the coastline shall be provided as part of the lands required for dedicated open space.
2. Development that enhances public access and recreational usage of the shoreline areas is encouraged. Such development could be in the form of public marinas and wharves, walkways, rest areas and beach parks.

#### **4.3.11 T’Railway Park**

The Newfoundland T’Railway Park corridor is identified on the Future Land Use Map within the Open Space Conservation land use designation. This important recreational and economic asset enhances opportunities for recreational enjoyment of the coastline of the Town, and provides an important opportunity to improve connectivity between neighbourhoods and commercial districts.

1. Proposals for development of lands adjacent to the T’Railway shall be assessed for their compatibility, visual impact and potential to provide pedestrian connections. A buffer may be required between the development and the T’Railway.
2. It shall be a policy of Council to upgrade and enhance the T’Railway over the planning period as a key asset in the Town’s Parks and Recreation Open Space system. Trail development and use shall be in accordance with trail development plans prepared by the Town.

#### **4.3.12 Provision of Buffers**

Where required by the Town, a separation distance between adjacent land uses that are incompatible, such as between industrial or commercial development and adjacent residential uses, may be required in the form of a buffer. Buffers may also be required to visually screen uses from each other, reduce noise or impacts from exterior lighting.

1. The required depth of a buffer, screening, landscaping and noise attenuation features shall be determined by the Town.
2. Where required, a buffer, whether of natural vegetation, a fence, berm, wall, landscaping or combination of these, shall be maintained by the property owner.
3. Where a natural buffer is required, no portion of the area within the buffer shall be disturbed for the purposes of excavation or site grading without review and approval by the Town.
4. Financial guarantees may be required to ensure that required buffers are put in place.

#### **4.3.13 Waterways, Waterbodies and Wetlands**

The Town recognizes the natural and recreational value of rivers, streams, ponds and shoreline beaches to the character and amenity of the Town and their importance as habitat for fish and wildlife. As the Town continues to grow and develop, protection of these resources become increasingly important.

1. Council shall protect the water quality of local streams, rivers and significant wetlands by ensuring that all necessary Federal and Provincial approvals, including setback requirements from water courses and significant wetlands, have been obtained prior to the issuance of a building permit for development projects. In the case of flood risk areas, the high water mark is considered to be the 1:100 year flood level.
2. Development and activities that require works such as water crossings, bridges, culverts, stream diversions and stormwater management devices, shall be planned, designed and constructed so as to ensure that fish habitat and passage is preserved, protected, and where possible, enhanced.
3. Over the planning period, the Town, in consultation with the Water Resources Management Division of the Department of Environment and Conservation, will undertake appropriate studies to define the floodplains along rivers and streams where frequent flooding is known to occur.
4. Filling in or alterations of wetlands shall be prohibited. Where development is proposed in a wetland area identified on the Environmental Overlay Map (Schedule A), the Town may require the developer to undertake a wetland analysis study to delineate more precisely the limits of the wetland in order to establish appropriate setbacks for development.
5. Council, through its Enforcement Section, shall monitor wetlands and initiate immediate action where backfilling has been undertaken to restore the wetland and prevent further infilling.

#### **4.3.14 Natural Hazard Areas**

Anticipating and addressing the impacts of climate change will become increasingly important over the planning period. Of particular importance is the identification of lands that are susceptible to geological hazards such as low-lying coastal areas and areas of steep slopes. Schedule A – Environmental Overlay Map identifies areas vulnerable to geological hazard in Conception Bay South based on work carried out by the Geological Survey Division, Department of Natural Resources.

1. Residential development shall be prohibited in areas identified in Schedule A as high hazard.
2. Residential development may be considered in areas identified as moderate hazard subject to site specific study to determine the level of hazard risk and suitability of the site for development.
3. In areas identified as moderate or high hazard, development of commercial, industrial or other non-residential uses may require a site specific study, prepared by suitably qualified persons to evaluate the level of hazard risk, taking into consideration the

susceptibility of the proposed development to storm surges. Such studies will consider elevation, topography and erodability (geomorphology).

4. Development in any area identified as moderate or high hazard may also be required to assess the biophysical impact on the coastal ecosystem including the potential to contaminate (such as, hazardous materials storage), harmful disruption of natural habitats and disruption of natural coastal processes such as littoral drift.
5. In approving a development in an area with known or potential hazard, the Town may require additional engineering design or other measures to mitigate identified hazards as a condition of development. In any event, no private development in an area of known or potential hazard risk shall result in public liability or public cost.
6. The Town will continue to monitor and address the impacts of climate change and, where necessary, introduce new standards and operational approaches to reduce climate change impacts.

#### **4.3.15 Landscape Alteration**

Activities such as filling in of low lying or steeply sloped areas or cutting into hillsides to expand useable land area can have significant impacts on wetlands, natural drainage, stability of slopes, result in erosion and create visual eyesores in the community.

1. Alteration of hillsides with slopes greater than 30% through the deposition of fill or by excavation, whether for the purposes of creating land suitable for development or not, regardless of land use zone, shall be prohibited. Land disturbance affecting more than 250 square meters in area shall require application, review and approval by the Town and show the full extent of disturbance that is intended. A Land Use Impact Assessment Report may be required to assess geotechnical aspects, visual and environmental impacts, as well as impacts on adjoining properties and land use zones.
2. Where alterations to the landscape are approved, financial guarantees may be required to ensure adequate site rehabilitation and/or landscaping.

#### **4.3.16 Telecommunications Towers**

The Town recognizes that telecommunications technologies are constantly changing and adapting. The federal government regulates telecommunications towers under the Radiocommunication Act, in accordance with siting and approval procedures in CPC-2-0-03 Radiocommunications and Broadcasting Antenna Systems.

1. Telecommunications towers shall be permitted in all land use designations within the Town.
2. The Town will work with Industry Canada to ensure that telecommunications towers are appropriately sited.

#### **4.3.17 Utilities**

1. It shall be a policy of Council to permit communication and utility uses in all zones.
2. Above ground utilities should be located to minimize their visual impact, with rear lot servicing for above ground utilities required. Where rear lot servicing is not feasible or

undesirable due to its visual or environmental impacts, Council may consider alternatives proposed by the utility company.

3. Unless written consent is provided to the Town by the public utility, no development shall be permitted to occur or encroach on any public utility easement, nor any alteration or change in grade of land in the area of a utility easement.
4. When the utility companies are proposing new facilities, such as transmission lines, sub stations or switching facilities, it shall be a policy of council to encourage the utility company to undertake public consultation with area landowners.
5. A shoreline electrode facility that is part of power transmission infrastructure from the Lower Churchill hydroelectric project is proposed by Nalcor Energy to be constructed along the coastline to the north of Seal Cove Pond. As the precise location is identified, the Town will work with Nalcor Energy to accommodate the development with due consideration for re-alignment of the T'Railway if necessary, visual and environmental impacts and public safety.

#### **4.3.18 Access to a Public Street**

1. All Residential and Commercial developments shall have direct frontage on a publicly owned and maintained street.

#### **4.3.19 Water and Sewer Services**

1. In areas designated for residential development where there are no municipal services, only infill development on existing public street frontages will be permitted. With the exception of areas specifically zoned Residential Estate Lot, in unserviced areas, street extensions and backland development shall not be permitted, unless full municipal services are installed to standards set by the Town, at the developer's expense.
2. No new municipal water and sewer servicing for residential development shall be extended beyond the limits set out in the Limit of Servicing Agreement between the Town and the Minister of Municipal Affairs (1992) unless they are installed as part of an approved development at the expense of the developer.
3. In considering proposals for development, Council shall ensure that the impacts of proposed new development projects on the Town's water, sanitary sewer and storm sewer and wastewater treatment systems are assessed.

#### **4.3.20 Stormwater Management**

Managing stormwater runoff will become increasingly important over the planning period as the incidence of more intense storms and further urban development result in increased runoff volumes into the Town's storm drainage system. Council shall encourage alternative methods of storm water management such as grass swales, retention ponds, parking lot storage and other techniques that decrease run-off and reduce environmental impacts.

1. Where possible, the Town will encourage and support development designs and infrastructure that incorporate stormwater best management practices. The Town may require land to be developed on the basis of "zero net runoff".

2. Development shall be designed in such a manner that run-off from the development does not negatively impact adjoining properties.
3. Proposals for development, including the clearing of land for agricultural or other purposes, shall include plans to manage stormwater runoff to prevent sedimentation and pollution of receiving waters.

#### **4.3.21 Groundwater Protection**

While fewer and fewer households in Conception Bay South rely on groundwater as a source of drinking water, it is important to ensure that groundwater sources are protected.

1. Private on-site septic systems, where permitted, shall be properly designed, installed and maintained.
2. Where development on the basis of on-site septic systems is permitted (either in unserviced infill areas or in Residential Estate subdivision) an assessment of groundwater quantity and quality will be required in accordance with the Provincial Department of Environment and Conservation Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells.
3. The Town will work with the Water Resources Management Division of the Department of Environment and Conservation to document and map all groundwater wells in the community.

#### **4.3.22 Building Setbacks**

1. The Town recognizes that in areas where residential infill development occurs, standard building line setbacks may be inconsistent. In evaluating proposals for development, the Town may vary the minimum building line setback to enable the development to fit into the streetscape with respect to adjoining properties and the general area.
2. The Town will establish in the Development Regulations minimum setbacks along Lawrence Pond Road to ensure future functioning of the street as a collector road to accommodate traffic to and from Route 2.

#### **4.3.23 Standards and Building Codes**

1. To ensure a minimum standard of safety, all buildings and structures within the Town are to be constructed in accordance with the appropriate building, life safety, fire and accessibility codes and standards as approved by the Town.

#### **4.3.24 Non-conforming Uses**

The Town recognizes that there are a number of existing industrial and commercial establishments which do not conform to this Plan. Over the planning period it is Council's intention that non-conforming uses, particularly in residential neighbourhoods, should they be discontinued, will be converted to uses that conform to the land use zone in which they are located.

1. Nothing in this Plan shall affect the continuation of a use which legally existed before the coming into effect of the Conception Bay South Land Use Zoning, Subdivision and Advertisement Regulations, 2001.
2. Where a building or use exists which does not comply with the intent of the Plan and the designated use, it shall not be substantially expanded. Minor extensions may be approved provided there will be no adverse effects on surrounding properties or the environment. A change from one non-conforming use to another more acceptable non-conforming use may be permitted.
3. It is Council's intention to phase out non-conforming uses over time. If a non-conforming use ceases to exist for a period of more than one year, new uses for the property and/or building must conform to the current land use designation and development must meet the development standards as outlined in the Development Regulations. In exceptional circumstances, Council may consider extending non-conforming use rights beyond one year following discontinuance of a nonconforming use to a maximum of 18 months.
4. In determining whether a legal non-conforming use has been discontinued, or in evaluating proposals for a change from one non-conforming use to another non-conforming use, Council shall take into consideration a fair balance between the individual landowner's interest and the community's interest. A use shall be considered to be discontinued where:
  - the scale or intensity of the activity can be considered to bring about a change in the type of use;
  - the addition of new activities or the modification of old activities is, in the opinion of Council, considered remote from previous activities; or if
  - the new or modified activities can be shown to create undue additional or aggravated problems for the Town, or the neighbours, as compared with what went before.
5. In the event that a non-conforming use is damaged, destroyed by fire, or has deteriorated due to other circumstances, redevelopment of the site as a non-conforming use and its continuation as a non-conforming use will be permitted by Council provided redevelopment of the site occurs within six (6) months of the damage occurring.
6. Where a building, structure, or development does not meet the development standards included in the Development Regulations, the building, structure, or development shall not be expanded if the expansion would increase the non-conformity, and an expansion must comply with the development standards applicable to that building, structure or development.

#### **4.3.25 Accessory Land Uses, Buildings and Structures**

1. Where a use is permitted, it shall be the policy of the Town to allow uses, buildings or structures that are normally incidental or essential to that use to be permitted.
2. Home based businesses as an accessory use to a residential use, provided they are compatible with adjacent uses, are not generally visible, and do not generate noise, odour, dust or traffic in residential neighbourhoods may be permitted in accordance with requirements set out in the Development Regulations.

#### **4.3.26 Heritage Preservation**

1. Council, through its Heritage Committee, shall continue to identify and document the heritage buildings and structures which exist in the town. Over the planning period, it is Council's intention to update the Heritage Bylaw to formally designate and protect identified heritage buildings.
2. It shall be a policy of Council to promote the heritage of Conception Bay South through the recognition and retention of buildings/areas within the Town that have a known historical or cultural significance.
3. A Heritage Area in Topsail containing a cluster of heritage properties and buildings has been identified and shown on the Future Land Use Map. Within this area, residential and institutional uses exist. Development within the area shall conform to the Residential, Public and Institutional land use designations, and shall be sensitive in design and scale to surrounding heritage properties and streetscape.

#### **4.3.27 Economic Development**

Private investment in the Town has grown over the last decade as the Town's population has grown to a level that can support a strong and diversified commercial and retail sector. Commercial development in the core retail areas of the Town are attracting new business. However, the commercial tax base of the Town represents a small portion of the total tax base. Over the planning period, continued efforts to encourage business investment, both from within and outside the Town, will be required to increase the commercial tax base. Economic opportunities based on the proximity and access to regional employment and service centers, tourism potential and expansion of existing businesses will be pursued by the Town.

1. **Gateway Development** – As part of its strategy to increase the commercial tax base of the community, Council will actively pursue, the build-out of the Gateway development at Legion Road as a significant local and regional commercial centre.
2. **Main Street Redevelopment Plan** - A plan for the improvement of the Town's Main Street is needed. Such a plan would concentrate on methods to calm traffic flow, improve vehicle access, parking and pedestrian circulation. It will include measures for improving the appearance of the Main Street, through landscaping, signage and the development of public amenity spaces.
3. Council will examine and consider the application of taxation, financial and zoning incentives, as well as capital projects as viable methods of facilitating new economic growth in the Town consistent with the provisions of the Municipalities Act.

#### **4.3.28 Signs and Advertisements**

1. Signs and advertisements associated shall be constructed in accordance with the requirements set out in the Development Regulations

# 5.0 Land Use Policies

## 5.1 General

Land use management policies allow the Town to guide the location and quality of development.

### 5.1.1 Goal

To promote a pattern of growth and land use that will encourage orderly, efficient, and environmentally sound development.

### 5.1.2 Objectives

- To enable land uses to develop in a compatible manner while ensuring sufficient land is made available for future growth;
- To make provision for future roadway networks and infrastructure servicing as the basic framework around which the community will grow; and
- To encourage the provision of community facilities and services to serve all residents of the community.

### 5.1.3 Policies

1. Land use in Conception Bay South will be managed in accordance with the specific land use designations as illustrated on the Future Land Use Map as follows:
  - Residential Low Density
  - Residential Medium Density
  - Residential Mixed
  - Comprehensive Development Area
  - Regional Centre
  - Commercial
  - Commercial Marine
  - Commercial/ Light Industrial
  - Industrial General
  - Public/Institutional
  - Open Space Recreation
  - Open Space Conservation
  - Highway Reserve
  - Rural
  - Agriculture
2. The specific policies applicable to each of these land use designations are described in the appropriate sections that follow.
3. **Efficient, Compatible Development** - It shall be a policy of Council to encourage general growth and development that is efficient, cost effective, compatible with existing development, and incorporates sound environmental planning principles by:



- Concentrating new growth in areas that are adequately serviced and properly planned;
- Encouraging development in areas that would be contiguous to, or infilling between, existing built-up areas;
- Promoting mixed-use developments which incorporate two or more land uses such as commercial and residential in appropriate areas in and adjacent to the main commercial areas of the town;
- Requiring buffer areas and site design to mitigate the impacts of industrial uses and large-scale commercial and institutional uses on residential areas; and
- Discouraging development in physically unsuitable or environmentally sensitive areas.

## 5.2 Residential

The Town's success in continuing to attract new residents depends very much on the quality of the urban environment. It is essential that individual properties, neighbourhoods and the Town as a whole are visually attractive, convey a sense of place, and provide opportunities for people to meet and enjoy their town.

### 5.2.1 Goal

To provide a range of housing options within Conception Bay South that meets the needs of a variety of age groups and incomes.

### 5.2.2 Objectives

- To encourage and facilitate new residential subdivision developments in backland areas designated for residential development which are serviceable from the existing municipal water and sewer system;
- To provide for a diverse mix of housing forms within the Town to ensure a variety of choice and affordable housing options; and
- To encourage alternative forms of subdivision design that maximizes green space and population density while minimizing the required municipal infrastructure.

### 5.2.3 Policies

The Plan recognizes three land use designations that will guide residential development in the Town:

- Residential Low Density;
- Residential Medium Density
- Residential Mixed Development

1. **Residential Low Density** - Residential Low Density designation applies to the eastern areas in Topsail, Chamberlains and Long Pond, and in the west of the Town, in Upper Gullies and Seal Cove. The designation is also applied to lands around Lawrence Pond, and as intended infill areas along existing streets south of Route 2. In other areas, the designation is determined on the basis of available infrastructure, access and existing

land use patterns. Within this land use designation, single residence development is the predominant and preferred form of development. Conservation, trails and park uses, family childcare, home offices shall also be permitted. Public uses such as schools, childcare and group care, places of worship, a variety of uses as home occupations, and agriculture, may also be considered in the Residential Low Density designation. Residential docks and boat houses are also considered acceptable uses.

2. **Residential Medium Density** – The Residential Medium Density land use designation applies to the largely built up and serviced or newly serviceable areas of the Town. Within the Residential Medium Density land use designation, the single detached dwelling will remain the predominant housing form.

Higher density forms of housing will be encouraged. Three residential use zones have been established in the Development Regulations to guide development in the Residential Medium Density designation. These include:

***Residential Medium Density Use Zone*** - Single and double dwellings, semi-detached dwellings and small multiple unit dwellings, as well as conservation, parks, playgrounds, home offices and family child care will be permitted in this land use zone. Larger multiple unit complexes and assisted living residential complexes, including personal care homes, the standards for which shall be set out in the use zone table, shall be considered a discretionary use. Other uses such as child and group care, home occupations, schools, places of worship, convenience stores, small-scale agriculture, bed and breakfast establishments, and residential docks and boathouses may also be considered in this land use zone.

***Residential Multiple Unit Use Zone*** – This zone will accommodate large, multiple unit residential developments, including apartment buildings, assisted living residential care facilities including personal care homes, double dwellings and rowhouse complexes. Home offices, conservation and parks and playgrounds will also be permitted. Multiple unit developments may be permitted to incorporate convenience stores, childcare, medical, professional and personal services into their design.

***Residential Mobile Home*** – this use zone will accommodate mobile or mini home parks where home offices, family child care, parks, playgrounds and conservation uses will be permitted. Other uses that may be permitted in mobile home parks include child care, convenience stores and home occupations.

3. **Residential Mixed Development** - The Residential Mixed Development designation denotes areas in transition, primarily along the Conception Bay Highway, where there is a mix of residential development and some commercial uses. These areas, over time, may become more commercialized. Within this land use designation, single dwellings, multiple unit residential buildings such as double dwellings, apartment buildings and row dwellings of up to 10 units; offices, schools, churches and child care will be permitted. Other residential, commercial and public uses may be accommodated, including for example, Bed and Breakfast Establishments, convenience and other stores, professional and general services and service clubs. A mixed use residential land use zone shall be established in the Development Regulations to direct development in this land use designation.

4. **Multiple Unit Residential Development** - When considering proposals for amendments to the Development Regulations to accommodate large multiple residential unit developments, Council shall consider:
- The proximity of the site to collector and arterial roads;
  - The availability and adequacy of water and sewerage services, streets and recreation facilities;
  - The provision of on-site amenity areas, parking and green space;
  - The proximity of the proposed development to services such as commercial shops and institutional uses;
  - The degree to which the architectural features of the proposed buildings are consistent with those of the surrounding buildings; and
  - Incorporation of site design features that adequately address such matters as safe access, buffering and landscaping, site grading and storm water management.
5. Council shall encourage the development of new multiple unit residential uses in suitable sites for in-fill development, and proximity to the main commercial core areas of the town and other employment or economic nodes. In particular, the area between the Conception Bay Highway and the T'Railway at Long Pond is considered an appropriate and desirable area for development of multiple unit residential use.
6. **Residential Estate Lot Subdivisions** - Residential Estate Lot subdivisions may be permitted in limited locations within the Residential Low Density designation, where:
- The site is located to the south of Route 2;
  - Piped municipal services are not available and not planned for the foreseeable future;
  - A groundwater assessment, prepared in accordance with the Provincial Department of Environment and Conservation Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Served by Individual Private Wells shows that there is a sustainable and adequate quality and quantity of groundwater to support the development;
  - The development is designed to provide a high level of environmental protection, retention of forest cover and maintenance of other natural features and topography where possible.
  - Conservation design principles are considered in the design of the development; and
  - The site is zoned to the Residential Estate Lot Use Zone established in the Development Regulations to accommodate the development.
7. **Residential Mobile Home Parks** - Residential Mobile Homes in the form of Mobile/Mini Home Parks developments may be considered in the Residential Medium Density land use designation where:
- The development is a minimum of 1.5 hectares;
  - Abuts or has direct access to a collector or arterial street;
  - Is accompanied by a detailed site plan showing the site work proposed, landscaping, design of servicing infrastructure, all proposed uses; and
  - The site is rezoned to the Residential Mobile Home land use zone to accommodate the development.
8. **Neighbourhood Commercial Uses** - It is recognized that it is desirable for limited commercial uses to be located close to the neighbourhoods they serve. However, it is also important to ensure that such uses do not disrupt residential neighbourhoods.

Therefore, it is a policy of Council that convenience stores may be considered in the Residential Medium Density land use designation.

9. **Free-Standing Local Commercial Uses** - Larger and free-standing local commercial uses shall only be considered where the development is part of an approved scheme, neighbourhood plan or subdivision proposal, and approved by amendment to the Development Regulations. Such uses may be considered where:
  - They are located with direct access to an arterial or collector road, preferably at an intersection; and
  - The use minimizes the impact of traffic, noise, signs, and lighting on adjacent residential properties.
10. A **Local Commercial** use zone shall be established in the development regulations and applied to areas according to criteria set out in Policy 5.2.3 (10). This use zone is intended to accommodate commercial uses which cater to local neighbourhoods including convenience stores, various personal, professional, general and childcare services. Other commercial uses may be considered where it is determined that there will be minimal impact on the surrounding neighbourhood.
11. **Home based businesses** in the form of professional, medical service, personal service, educational and craft uses can or may be permitted in all residential designations in accordance with standards set out in the Development Regulations.
12. **Compatibility of Uses in the Mixed Use Designation** - In evaluating proposals for new development in Mixed Use areas, Council will pay particular attention to compatibility of uses; particularly between residential and non-residential uses. Before permitting any non-residential development, Council will be satisfied that its requirements with respect to building setbacks, buffering between uses, off-street parking and outdoor storage can be met.
13. Conservation and recreational open space uses including trails, small-scale recreational facilities such as parks and playgrounds, and family childcare shall be permitted within all Residential designations.
14. **Burnt Island Development** - Residential development in the area known as Burnt Island shall be limited to one residential lot in conformity to an approved development plan.

### 5.3 Comprehensive Development Areas

Lands within the Town have been set aside for future comprehensive development. In the Seal Cove area, tracts of land remain undeveloped where servicing has not been provided.

#### 5.3.1 Goal

To ensure a supply of land to accommodate future development and growth of the Town.

#### 5.3.2 Objectives

- To identify future lands for development in the Town; and
- To ensure that lands set aside for development are made available as services become available.

### 5.3.3 Policies

1. Comprehensive Development Areas located in the Seal Cove area are set aside to accommodate future development for residential use when servicing becomes available and there is sufficient demand for residential development. Until comprehensive development schemes are prepared and adopted, continuation of existing uses, open space, conservation and rural resource uses such as agriculture, forestry and mineral workings may be considered appropriate where no new buildings or infrastructure are required and the use does not compromise the lands for intended future uses.
2. As required by the Urban and Rural Planning Act, Comprehensive Development Schemes shall be prepared for designated CDA areas prior to being developed. Council shall require such schemes to include:
  - A street layout and servicing plan for the entire area, including a conceptual design for development of the overall site and detailed design for Phase 1;
  - The mix and location of permitted uses within the scheme area and land use policies and standards for development;
  - A description of the costs and benefits to the municipality that would result from the development, including the cost of extending services to the site, maintenance and the potential tax revenue to be gained;
  - A description of how the proposed scheme is consistent with the objectives of the Municipal Plan;
  - The relationship of the development to surrounding land uses, including ownerships, and measures to be taken to reduce impacts on such uses where necessary;
  - Space requirements for any required open space lands;
  - Identification of soils, topography and drainage and any environmentally sensitive lands and constraints to development;
  - A feasibility assessment, implementation plan and schedule; and
  - An assessment of traffic generation and any requirement for alterations to the existing Conception Bay Highway.
3. Council may consider a Comprehensive Development Scheme for Residential CDAs in Seal Cove provided that:
  - Services have been extended into the area; and
  - There is a demonstrated demand and need for additional residential lands in the Town.

## 5.4 Commercial

The creation of a vibrant commercial sector is a key goal of the Town's Economic Development Strategy and essential to the quality of life in the community. In addition to the existing commercial centres in Kelligrews and Manuels/Long Pond, the Town has embarked on a major commercial development at Legion Road – the Gateway – that will serve residents of Conception Bay South and beyond.

Lands for commercial use are identified on the Future Land Use map and are located along the Conception Bay South highway with the main commercial nodes located from Manuels to Long Pond, and in Kelligrews. The Gateway development at Legion Road is also identified as a Regional Centre. These areas are expected to accommodate a wide range of commercial uses which serve the growing community. Other areas where the commercial land use designations

are applied include specific existing commercial uses outside the main commercial areas along the Conception Bay Highway, and in coastal locations around Foxtrap Harbour and private marinas in Long Pond.

#### **5.4.1 Goal**

To increase commercial development in the Town in appropriate areas that will decrease the need of citizens to travel elsewhere to purchase a range of goods and services.

#### **5.4.2 Objectives**

- To provide for commercial growth, development and investment to facilitate increased commercial development and investment in existing commercial nodes in Manuel's/Long Pond and Kelligrews;
- Create an enhanced environment for business development in designated commercial areas through strategic public investment;
- To provide suitable locations for larger scale retail development that serves Town residents and attracts consumers from the broader region;
- To ensure that commercial development is compatible with surrounding land uses and adequately serviced with transportation facilities and services, including parking; and
- To encourage consideration of building design, landscaping, pedestrian access and other aesthetic qualities in both new commercial development and redevelopment projects.

#### **5.4.3 Policies**

The plan establishes three commercial land use designations to accommodate commercial development in the community:

- Regional Centre
- Commercial
- Commercial Marine

#### **Regional Centre**

Lands south of the Conception Bay Bypass at Legion Road are designated and zoned Regional Centre. Ideally positioned overlooking the Town, this area is intended to be a commercial gateway connecting the Town to the region. The area will be the focus for business, recreation and leisure facilities serving the greater region. The development of the regional centre will respect the environmental features of the site and provide for a trail to the Kelligrews River. Key natural features will be designated and zoned Open Space Conservation.

1. Council shall seek to create an integrated and unified regional centre by ensuring that all buildings and properties are aesthetically compatible and harmonious. Council will ensure that the regional centre has a high standard of landscaping with each individual development making a positive contribution to the overall appearance of the regional centre. An attractive landscaped interface between each development and adjacent streets as well as aesthetically designed parking areas and access points will be

pursued. In addition, Council will encourage individual businesses to develop and maintain their properties to a high aesthetic standard.

2. Council will ensure that the regional centre has an integrated road system that ensures internal vehicle and pedestrian linkages between major shopping facilities and nearby recreational facilities. In particular, Council will promote connections with an extension of existing walking trails.
3. Within the regional centre, land located adjacent to the Conception Bay Bypass and Legion Road is intended to accommodate a mix of big box retailers, complementary businesses such as hotels and restaurants, offices, professional and personal services as well as recreational and assembly facilities. Council recognizes that land between the retail area at the Conception Bay Bypass and the municipal boundary may be used to provide additional retail opportunities, as a regional business park, as a comprehensively developed residential community or a combination of these uses.
4. To ensure that uses within the business park portion of the site make a positive contribution to the regional centre, Council will evaluate each application to ensure:
  - Adequate capacity on internal and external streets to accommodate the traffic generated by the proposed development;
  - Adequate water, sewer and storm water capacity to accommodate the proposed development;
  - Aesthetic compatibility with adjacent uses and the whole regional centre;
  - Overall compatibility with respect to use in relation to adjacent uses and the overall regional centre; and
  - Compatibility with adjacent uses such that development will not inhibit or prejudice the development of retail, business and personal service, assembly or recreation uses.
5. General and light industrial uses may be permitted provided that those uses are not obnoxious and contribute to the orderly development of the overall regional centre. Industrial development will only be permitted in the rear portion of the regional centre and shall not occupy land intended or suitable for retail, business and personal service, assembly, commercial residential, recreation facilities or conservation open space.
6. In order to accommodate residential development within the regional centre, Council may rezone land to an appropriate residential zone. Before initiating such a rezoning, Council will evaluate each proposal to ensure that:
  - It contributes to the orderly growth of the regional centre and the Town;
  - Adequate capacity of the internal and external road network exists to accommodate the proposed development;
  - Adequate capacity of municipal water, sewer and storm water systems exists to accommodate the proposed development;
  - It provides open space facilities which contribute to the existing network of trails in the area; and
  - It contributes to a mix of housing within the Town by including a component of higher density housing.

## ***Commercial***

7. Lands along the Conception Bay South Highway in existing commercial areas in the east and western areas of the town are intended to accommodate a mix of retail, office, tourist accommodations, public, assembly and transportation uses. Other uses that may be considered acceptable include light industry, amusement arcades, service stations, auto sales and repair establishments, clubs, educational uses, markets, veterinary hospitals and funeral homes.
8. Commercial land use zones shall be established in the Development Regulations to be applied to a range of commercial uses and areas.

## ***Commercial Marine***

9. Denotes areas where a mix of tourism, marine-related recreational and commercial activities may take place. Industrial marine uses such as fish processing plants or those which provide service to marine users may be considered in this land use designation in the Foxtrap marina area. In the Long Pond Area, industrial uses in this land use designation shall be limited to marine recreation uses and a limited number of commercial uses. It shall be a policy of this plan to establish two commercial marine land use zones to guide development in the Commercial Marine Designation.

## ***Residential Uses in Commercial Designations***

10. High density Residential Uses may be permitted in Commercial land use designation in the core commercial areas along the Conception Bay Highway. Such uses will be limited to higher density residential uses in the form of multiple unit dwellings. The Town will encourage development of mixed use buildings that include ground floor commercial uses, office and/or residential uses located on second or third stories.
11. Conversion of a single dwelling to commercial uses may be permitted to have a residential use above or below the ground floor commercial use.

## ***Public Improvement/Main Street Areas***

12. Within the core commercial areas of the town - in Long Pond and Kelligrews - public improvements will be undertaken over the planning period to improve the visual appearance of the streetscape, the functioning of the street, consolidation of vehicle access, parking and pedestrian access. Commercial areas shall provide linkages to pedestrian trailways, such as the T'Railway Park, Long Pond Harbour and other recreational areas. Council will work with the local business community in this regard through partnerships for beautification projects such as streetscape, landscaping, site furnishing, and building façade improvements.

## ***Design and Aesthetics***

13. Council shall ensure that development within the commercial land use designation conforms to a high standard of building design, appearance and landscaping.

## ***Pedestrian Access***

14. Future development of the Town's commercial Centres shall place high priority on pedestrian access, building design and landscaping, including the clear separation of



pedestrian and vehicular movement. This shall be done by encouraging infilling and greater consolidation of future development and redevelopment of existing properties.

### ***Parking and loading areas and outdoor storage***

15. Parking, loading and unloading areas shall be provided for new developments in all commercial and industrial areas in accordance with standards provided in the Development Regulations.
16. Council shall ensure that all areas for outdoor storage associated with commercial and industrial uses, including the storage of waste, is located in rear or sideyards, with appropriate screening and containment.

## **5.5 Industrial**

Industrial lands are limited in the Town of Conception Bay South. The port at Long Pond is a recognized industrial area, and lands at Fowlers Road have been identified for light industrial uses. There are also a number of small general and light industry uses scattered throughout the Town.

### **5.5.1 Goal**

To increase the industrial tax base of the Town.

### **5.5.2 Objectives**

- To ensure an adequate supply and variety of land at appropriate locations to support light and general industrial activities;
- To support the location of industrial activities to areas which have access to major transportation routes;
- To ensure a high quality of development in industrial development sites; and
- To encourage and support further industrial development at the Port of Long Pond.

### **5.5.3 Policies**

The Plan includes two land use designations that will guide industrial development in the Town:

- Commercial/Light Industrial
- Industrial General

1. **Industrial General** – Lands around the port at Long Pond and smaller existing general industrial sites within the Town are designated General Industry. Lands designated for Industrial use are intended to accommodate a mix of industrial uses, including wholesaling, manufacturing, distribution, communications, warehousing, marine-related industrial uses, service stations and bulk storage uses. Uses and activities related to the processing or transporting of mined material and recycling uses may also be considered in areas designated and zoned for general industrial use. Generally, retail commercial uses shall not be permitted in the Industrial General designation unless they directly

service the industrial uses or their employees or they are accessory to the industrial use, i.e., a factory sales outlet.

2. **Commercial/Light Industrial** - Lands at Fowlers Road and existing light industrial/commercial sites throughout the Town are designated Commercial/Light Industrial. These areas are intended to accommodate a mix of light industrial, office and general assembly uses. General industry, service stations, passenger assembly, retail uses may be considered. A Commercial/Light Industrial Land Use Zone shall be established in the Development Regulations to guide development in these areas.
3. The Town will examine and improve vehicular access to the Long Pond Port facility and surrounding industrial area as a means of improving port usage and long term viability.
4. **Impacts on Neighbouring Residential Uses** - In considering proposals for industrial development or expansion, Council shall consider the impacts on abutting residential neighbourhoods and require mitigative measures to reduce conflicts, such as proper siting, buffering and screening where activities could cause a nuisance by virtue of generating undue truck traffic, noise, smell and unsightly properties.

## 5.6 Natural Resource Designations

Natural resource lands outside the built up areas of the community include forested and agricultural lands, mineral workings and natural areas. These lands also provide valuable open space and natural habitat for plants and wildlife, and opportunities for outdoor recreation. It is applied to lands south of Route 2, as well as to undeveloped lands in the west end of the town and to an area in Seal Cove used for sand and gravel extraction and associated uses. The Town also recognizes that mineral working areas occur in several locations within the town, some are long term aggregate extraction areas while others are considered short term. Over time, these areas change, as new aggregate deposits are identified and others become depleted.

### 5.6.1 Goal

To permit existing natural resource lands and associated uses to continue and to preserve land for future development within the Town.

### 5.6.2 Objectives

- To encourage natural resource development in a manner which is environmentally acceptable and compatible with urban land uses.

The Future Land Use Map includes two land use designations to identify lands for natural resource use:

- Rural
- Agriculture.

### 5.6.3 Policies

1. **Rural** - The Rural land use designation includes lands that can accommodate resource uses such as forestry, agriculture and mineral workings. Lands in the rural land use

designation may also accommodate general industrial uses which cannot be appropriately located in any other land use designation where such uses are located away from the built up area of the town, would not preclude or limit future urban development, or cause negative environmental impacts. In the Rural land use designation, agriculture, forestry, conservation and recreational open space uses and telecommunications uses will be permitted. This land use designation may also accommodate cemeteries and general industry, and single dwellings where they are necessary to the operation of a permitted use. Unless located in an area zoned for mineral workings, pits and quarries may be permitted in the Rural land use designation, on a limited scale where they will not lead to the development of extensive open pit areas.

2. Within the Rural land use designation, a Mineral Working use zone will be established where mineral extraction will be permitted. This zone shall include the mining area around the Pyrophyllite mine, and other existing, established aggregate extraction areas located on Red Bridge Road and south of Lawrence Pond. General industry uses such as processing and manufacturing of mineral products may also be considered in this land use zone, provided such uses do not compromise the mineral deposit or the future extraction of the resource.
3. **Agriculture** - The Agriculture land use designation is an area of Provincial interest and applies to areas designated for agricultural uses under the ***Lands Act*** and ***St. John's Urban Region Agriculture Development Area Regulations***, administered by the Land Development Advisory Authority, Department of Forest Resources and Agrifoods and the Town.
4. Where the Province makes any change in the boundary of the area included in the Agriculture Development Area within the town, any area excluded from it will, for the purposes of this plan be considered to be in the Rural land use designation and development managed as if it were.
5. It shall be a policy of this Plan that all mineral working activities be conducted in a manner that minimizes the adverse effects of mining and quarry operations, and that the derelict lands resulting from such operations are properly rehabilitated. In considering proposals for new aggregate quarries, Council shall require:
  - Adequate separation distances between aggregate pits and quarries and adjoining uses;
  - A minimum separation distance of 50m between a pit and any waterbody or watercourse;
  - The implementation of environmental protection measures to prevent and mitigate excessive truck traffic, noise, dust, disturbance of plant and animal habitat, watercourse and shoreline erosion, and visual intrusion on the landscape; and
  - Rehabilitation of abandoned/spent sites, including hydroseeding or tree planting to encourage vegetative regeneration.
6. Within the Rural Land Use designation, lands proposed for new pits and quarries may be considered, subject to re-zoning of the lands to the appropriate mineral working land use zone.
7. Mineral exploration activities shall be limited to the Rural and Agriculture land use designations and where permitted, such activities shall not cause undue noise, ground disturbance or risks to the health and safety of residents of Conception Bay South. The

Town may require proponents to conduct a public consultation prior to any exploration activity taking place.

## **5.7 Open Space Recreation**

The Town of Conception Bay South has a variety of developed and natural recreational open space areas throughout the town. These areas provide opportunities for residents and visitors, with venues for sports and games, as a pleasant setting for family and community gatherings and events, and as a refuge for quiet enjoyment. The Town completed an Open Space and Recreation Master Plan that establishes a roadmap for an integrated system of recreation facilities, open space and trails. It is important to protect the Town's Open Space system, to make it more accessible, and to provide recreational facilities for the community's enjoyment.

### **5.7.1 Goal**

To provide a range of recreation facilities, parks, open space that are integrated into the community and available to a variety of age groups and interests.

### **5.7.2 Objectives**

- To support the development of a safe system of pedestrian walkways linking residential areas of the town to schools, parks, playgrounds and commercial districts;
- Utilize the T'Railway Park as a key recreational corridor in the Town;
- Assist recreational groups and community organizations to improve civic amenities, recreational opportunities and events, for the benefit of the Town; and
- Identify and recognize heritage structures within the community and encourage their preservation and re-use.

### **5.7.3 Policies**

1. The Open Space Recreation lands use designation includes the larger current and planned areas for parks and recreational facilities within the town. Within this land use designation, public recreational facilities such as arenas, gymnasiums, theatres, outdoor playing fields, hiking trails, and playgrounds are permitted. Municipal park areas may be used for more intensive recreational uses, including limited commercial uses within recreational buildings.
2. It is the intention of Council to implement the Conception Bay South Parks and Recreation Master Plan and to ensure that recreational facilities, waterfront parks, trails and parks are developed in accordance with it.
3. It shall be the intention of Council to work with the Provincial and Federal Governments along with various stakeholders to construct a new Town Hall and Community Centre adjacent to the Stoney Hill Recreation complex.

## 5.8 Open Space/Conservation

The Town's waterways, wetlands, river valleys and coastline are distinctive attributes of the Town's landscape. These assets should be preserved and promoted as core features of the Town's identity.

### 5.8.1 Goal

To enhance and encourage environmental protection and the preservation of the community's special natural areas.

### 5.8.2 Objectives

- Identify and protect environmentally sensitive areas such as ravines, steep slopes, wetlands and shore lines through appropriate regulation of development;
- To encourage environmental stewardship of private and public lands; and
- Utilize conservation lands for passive recreation.

This designation is applied to lands that are considered to be environmentally or ecologically sensitive and/or vulnerable. It is applied along rivers and streams, wetlands and areas along the coastline that have been identified in preliminary studies as being highly vulnerable to coastal impacts such as erosion and flooding resulting from rising sea levels and climate change impacts. It is also applied to steeply sloped areas along Manuels River and in Topsail at Topsail Beach Park.

The Newfoundland T'Railway corridor (with the exception of a section that is contingent with a sidewalk along the Conception Bay Highway in Manuels) is included within the Open Space Conservation land use designation. This important recreational and economic asset enhances opportunities for recreational enjoyment of the coastline of the Town, and provides an important opportunity to improve connectivity between neighbourhoods and commercial districts.

### 5.8.3 Policies

1. Areas designated for Open Space Conservation are to be left in a relatively natural state for scenic purposes, to prevent development on steep slopes, protect wetlands, waterways and coastal areas. These conservation lands also provide significant opportunities for passive recreation. The Open Space Recreation Master Plan identified trail systems within designated Open Space Conservation areas along waterways and wetland areas. Within this designation, recreation uses such as walking trails, interpretative signage and other trail infrastructure are considered acceptable uses. Agricultural uses, nature parks, and uses related to recreational marine uses such as wharves and docks may be considered.
2. Within the T'Railway right-of-way, uses associated with trail improvement, natural heritage interpretation, rest stops and other facilities and services which would enhance the function and safety of the T'Railway will be permitted. It shall be a priority of Council to improve and maintain the integrity of this trail, and to work with the Province and community groups to enhance the trail network as an important recreational facility within the Town.

3. The Manuel's River and associated trail network is an important recreational and natural asset of the Town. It shall be the policy of Council protect the river system from urban encroachment by limiting development, particularly in areas where steep slopes along the river are present, and to continue to support the Manuels River Natural Heritage Society in presenting and interpreting the natural heritage of the river, including the construction of an interpretation centre.
4. The development of passive recreation uses within areas identified for Open Space Conservation will be encouraged, through partnerships with community groups and organizations. Hiking trails, boardwalks and nature interpretation structures will be designed and developed with minimal environmental disturbance. Council shall support and assist community efforts to improve natural areas at Manuels River, Kelligrews Pond and other areas for passive recreational uses and the preservation of fish and wildlife habitat.
5. Proposals for the construction of wharves, docks and marinas where proposed in areas identified as moderate or high hazard, will require a site specific study to evaluate their impact on the shoreline taking into consideration the susceptibility of the proposed development to storm surges and sea level rise.
6. The Open Space Conservation policies of this Plan shall apply to any property or portion of a property that falls within the Open Space Conservation land use designation.

## **5.9 Public and Institutional**

The town has a number of areas in which public and educational uses are located. These include schools, places of worship, and cemeteries.

### **5.9.1 Goal**

To ensure an adequate supply of land and facilities to support various public and institutional needs of the town.

### **5.9.2 Objectives**

- Provide for public and institutional uses accessible to residents throughout the town

### **5.9.3 Policies**

1. Schools, churches and cemeteries are included in the Public land use designation where such uses are permitted. Other uses that may be permitted include medical care, office, childcare, and recreational open space.
2. This Plan provides for a range of public and institutional uses to be developed in a number of the residential and commercial land use designations. Where it is permitted, new public and institutional uses shall have access to a public street and be supplied with municipal water and sewer services.

## 5.10 Highway Reserve

### 5.10.1 Goals

To have a highly functioning and efficient arterial highway that links the Town to the larger urban region.

### 5.10.2 Objectives

- To ensure controlled access to Route 2; and
- To prevent development from encroaching on the highway right of way.

### 5.10.3 Policies

The Highway Reserve designation includes the right-of-way of the limited access highway Route 2.

1. Development associated with the functioning of the highway will be permitted within the highway corridor; and
2. Proposed residential subdivision development adjacent to Route 2 shall provide an appropriate separation buffer between the development and the Highway to mitigate noise, light or other impacts.

# 6.0 Transportation

The Town has an extensive network of streets and highways. Arterial road networks link the town from east to west, while collector streets permit access to residential and commercial areas. The commercial main street is also one of the main arterial routes through the town. Over time, efforts have been made to improve the street to accommodate traffic flows, however, patterns of development continue to put pressure on local and collector streets. Improving street connectivity and functioning of the street network will be a priority over the planning period, to calm traffic, improve traffic flow and improve access at business and street intersections. Pedestrian safety with street rights of way particularly in high traffic areas must also be addressed in considering improvements to the road network.

## 6.1 Goal

To provide a safe and efficient transportation system network to, from, and within Conception Bay South.

## 6.2 Objectives

- To provide a hierarchy of roads that allow for the efficient movement of people and goods within the town and connecting to the regional road network;
- To increase the safety and efficiency of the road network through road widening, intersection improvements, traffic control signals where required;
- To improve pedestrian safety by providing sidewalks along arterial and collector roads, improving intersections and by providing crosswalks at appropriate locations;
- Ensure that adequate road capacity exists to accommodate new development;
- Ensure proper access to all residential developments and commercial establishments, and provide a system of traffic circulation which avoids congestion and hazardous intersections; and
- Introduce traffic calming measures in commercial districts along the Conception Bay South Highway to provide a safer environment for vehicles and pedestrians.

## 6.3 Policies

1. **Roadway Policies** - Council shall provide and maintain a roadway network to meet transportation needs within Conception Bay South. The Town's roadway network will utilize the following roadway hierarchy:
  - *Arterial streets* – Roadways whose function is the movement of large volumes of vehicular traffic. These routes typically connect with collectors and other arterial roads. Individual accesses onto the Manuels Access Road and to Route 2 shall be limited to ensure their continuing efficiency;
  - *Collector streets* – Roadways with a dual function of providing access to adjoining properties and moving traffic between local and arterial roads. Accesses to abutting



- properties on collectors will not be restricted but will be properly planned. As construction of the bypass road continues, these collector roads connecting to it will be upgraded to proper truck carrying capacity, with sidewalks and curb and gutter; and
- **Local Streets** – Roadways whose main function is to provide direct access to individual properties. These roads generally accommodate low volumes of traffic, carry the traffic short distances and connect with other local and collector roads. The speed and volume of traffic on local roads shall be kept to a minimum by means of signs and street design. All new streets shall be constructed to standards required by the Town to ensure public safety and efficient delivery of public services.
2. **Municipal Street Network** - The hierarchy of streets in the Conception Bay South street network is shown in Table 6.1. The Town shall maintain and improve upon this network to facilitate the efficient movement of people and goods throughout Conception Bay South.

It shall be the intention of Council to designate the following collector roadways within the Town:

**Table 6.1: Street Classification**

Arterial Streets	Collector Streets		Local Streets
Provincial Arterial Manuels Access Road Route 2	Primary Collector Fowler's Road Minerals Road Foxtrap Access Road Legion Road Lawrence Pond Road (Future)	Secondary Collector Anchorage Road Seal Cove Road Middle Bight Road Red Bridge Road Tilleys Road South Dunns Hill Road	All remaining streets
Local Arterial Conception Bay Highway			

3. **Private Roads** - Development of private roads may be permitted where:
- The proposed road is part of an approved subdivision plan or development scheme;
  - The proposed development would not prohibit future development of adjoining lands by virtue of the private road status;
  - The proposed street will be constructed to standards required by the Town; and
  - A development agreement, dealing with construction and maintenance of the proposed street(s) and services, is signed between the developer and the Town.
4. Infill development along existing streets shall be required to convey property to the Town to ensure adequate street reservations are retained;
5. It shall be a policy of Council to prepare and update annually a five-year plan for the upgrading of local streets and to undertake a street upgrading program in accordance with the five-year plan. These improvements should also be coordinated with the ongoing improvements to the water, sanitary sewer and stormwater infrastructure;
6. It shall be the intention of Council to pursue any available funding from senior levels of government for expansions or upgrades to the Town's transportation and roadway network;

7. Over the planning period, the Town prepares a traffic model to assist in detailed analysis of various development proposals, prediction of roadway traffic volume and impacts as well as the assessment of specific improvement options. In this regard, the Town will work with the Department of Transportation and Works to assess and monitor the impact of development in the Town on the Conception Bay Highway and Route 2 to identify needed improvements and upgrades to ensure these roads function safely and efficiently;
8. Sidewalks - It shall be a policy of Council that sidewalks are installed along streets in new developments, on local streets within the 1.7 km no bussing zone around schools and along streets serving community facilities and commercial areas. As funding permits, Council shall provide sidewalks along existing collector roadways where they are not currently provided in conjunction with future roadway and infrastructure upgrades;
9. The Town will investigate opportunities to develop parking areas at locations along accesses to Route 2 to encourage commuter ride-sharing and facilitate future public transit; and
10. The Town will approach the Department of Works, Services and Transportation to replace the bailey bridge at LeDrews Road in order to facilitate serviced development and provide options for street connectivity in the area south of Route 2 between LeDrews Road and Middle Bight Road.

# 7.0 Municipal Infrastructure

The Town manages and maintains municipal infrastructure assets valued in excess of \$130 million. These assets include all roads and water and sewer infrastructure.

## 7.1 Goal

To ensure a high level of municipal services to the residents of Conception Bay South.

## 7.2 Objectives

- To provide an acceptable and consistent level of water, sewer and storm sewer services to residents of the town to permit maximum development and usage of available land;
- To continue to upgrade the municipal sewage collection and treatment system with sufficient capacity to effectively treat wastes from existing and future development;
- Continue to provide and upgrade storm sewer services and drainage ditches for flood prevention and erosion control; and
- Develop storm water management plans for the Town to maintain effective control over areas which are susceptible to damage from heavy run-off.

## 7.3 Policies

1. **General Infrastructure Services Policies** - Council will develop and implement a program of scheduled public works to provide for the development and maintenance and monitoring of municipal infrastructure assets including water and sewer services and treatment, streets, and stormwater management systems;
2. It shall be the intention of Council to pursue Capital Works or any other available funding from senior levels of government for expansions or upgrades to the Town's water, sanitary sewer and storm sewer systems;
3. Council shall ensure that continued upgrades of the water, sanitary sewer and storm sewer systems occur to replace deficient sections of the Town's infrastructure;
4. Council shall ensure that the impacts of proposed new development projects on the Town's water, sanitary sewer and storm sewer systems are assessed;
5. Council shall seek to coordinate upgrades to the water, sanitary sewer and storm sewer systems with roadway upgrades in the Town;
6. **Water System Policies** - Council shall seek to replace sections of the Town's water distribution system where smaller diameter water mains restrict available fire flows;
7. The Town shall work to identify and repair areas in the water distribution system where there may be leaks in an effort to conserve water;

8. The Town will continue as a member of the St. John's Regional Water Supply Authority and will work with regional partners to implement water conservation policies to ensure a sustainable water supply;
9. **Wastewater System Policies** - Council shall ensure that the Town's wastewater treatment facilities process wastewater in accordance with Provincial Department of Environment and Conservation standards;
10. Council shall ensure that adequate reserve capacity exists for the treatment of wastewater prior to approving new developments;
11. **Stormwater Management Policies** - Council shall ensure that combined storm and sanitary sewers are separated as part of the Town's ongoing infrastructure improvements;
12. The Town will review its requirements and standards for stormwater management and incorporate environmental Best Management Practices for reducing the volume of stormwater discharges into receiving waters;
13. **Solid Waste Management Policies** - Council shall continue to have representation on the Regional Waste Management Board allowing it to provide input into future planning and decisions regarding waste collection, diversion initiatives and disposal; and
14. To reduce the financial cost of waste transport and disposal, Council will continue to investigate and implement measures to reduce the municipal waste stream.

# 8.0 Protective Services

Over the past decade the Town of Conception Bay South has made substantial investment in protective services. The Fire Department has been upgraded to provide full time fire protection and emergency service coverage, equipment and building upgrades have been made and the Town has an Emergency Preparedness Plan and procedures in place. The Royal Newfoundland Constabulary provide police protection services to the community. Over the past decade, the Town has worked to improve enforcement of municipal bylaws by creating a dedicated Enforcement Section within the Planning and Development Department to deal with ongoing enforcement issues such as those associated with property maintenance, noise, illegal dumping and landscape alteration. Building inspection services are also provided to ensure development is in accordance with standards of the National Building Code.

## 8.1 Goal

To achieve a high level of safety and security for residents and businesses of Conception Bay South.

## 8.2 Objectives

- To provide an adequate level of fire protection services to all residents and businesses within Conception Bay South;
- To ensure an adequate level of police service and protection through the provision of policing services by the RNC;
- To ensure the amenity, quiet, peace and enjoyment of residential neighbourhoods through enforcement of municipal bylaws; and
- To build community resilience to the impacts of climate change and other hazards through a program of emergency planning.

## 8.3 Policies

1. It shall be a policy of Council to ensure that the fire fighting and emergency response functions of the Fire Department are maintained to ensure an adequate level of service to residents and businesses in Conception Bay South;
2. It shall be a policy of Council to provide ongoing capital funding for the replacement of fire department equipment;
3. It shall be a policy of Council to continue to undertake improvements to the Town's water distribution system to ensure adequate fire flows within the Town;
4. It shall be a policy of Council to continue to work with the RNC to ensure policing services are provided to meet the Town's needs;

5. It shall be a policy of Council to seek to reduce emergency response times and ensure alternative access points when planning new roads or evaluating development proposals; and
6. It shall be a policy of Council to continue to monitor, review and revise its Emergency Preparedness Plan to ensure the Town is able to respond to emergency events should they occur.
7. It shall be a policy of Council to address the safety and security of the community by being proactive in the enforcement of municipal bylaws and regulations.

# 9.0 Implementation

The Conception Bay South Municipal Plan serves as the blueprint for the community's future development. However, it is critical that the plan is put into action through a strategic implementation program.

The Town will continue to grow primarily by private investment. The Town's role in implementation is to help guide and shape private investment and in effect, implement the Municipal Plan in a cooperative framework with the private sector. Municipal services, regulations, and expenditures are a means to encourage or discourage the extent and form of new development.

Successful implementation of the Plan involves:

- Effective administration of the Plan;
- The adoption of annual municipal capital works budgets;
- Adoption of land use zoning, subdivision and advertisement regulations;
- Preparation and adoption of development schemes;
- Preparation and implementation of recommended studies; and
- A consistent procedure for considering amendments to the Plan.

## 9.1 Administration of the Plan

For the purposes of administering this Plan, the Future Land Use Map shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. Development applications will be evaluated for their conformity with the Plan.

The boundaries of land use designations shown on the Future Land Use Map are at a scale of 1:10,000. However, all boundaries of land use designations are accurate to 1:2,500 scale, and can be examined at this level of detail on the Compact Disk version of the Future Land Use map. Where possible, land use designations coincide with roads, fence or property lines or other prominent physical features, or as a specified offset from physical features. It is intended that no amendment of this Plan shall be required to permit minor adjustments to these boundaries where required.

All development approved within the Planning Area must conform with the policies of this Plan. Council will ensure that all development proposals are given a comprehensive review, including circulation to affected public departments and agencies.

## 9.2 Municipal Budget and Capital Works Program

Like most businesses, the Town has a budget which directs annual expenditures. Where and how the Town chooses to spend funds each year can have a significant impact on the future development of Conception Bay South.

The various policies related to servicing in the Municipal Plan will be implemented through expenditures according to the Conception Bay South Multi-Year Capital Works Program and subsequent application to the Provincial Capital Works Funding Program.

### **9.3 Development Regulations**

To implement the goals, objectives and policies of the Municipal Plan, Council will prepare and adopt Development Regulations pursuant to Section 35 of the Urban and Rural Planning Act.

All land within the municipal planning area will be covered by land use zones which provide detailed requirements such as lot size, frontage, building setbacks, and parking standards.

#### **9.3.1 Considerations for Rezonings**

In order for consideration of any proposals for an amendment to the Development Regulations (i.e., a rezoning), Council shall require a clear proposal to be submitted. Such a proposal must clearly show:

- The location of the subject property, to scale, showing lot dimensions, area, street frontages;
- The means by which the site is/will be serviced;
- The proposed location of all driveways and parking areas;
- Areas which are to be landscaped and/or buffered; and
- The proposed location of all buildings on the site.

#### **9.3.2 Criteria to be Considered**

In its review of proposals for amendments to the Development Regulations, Council shall consider all appropriate policies set out in this Plan and have regard for the following:

- The financial ability of the Town to absorb any costs relating to the development;
- The adequacy of municipal water and sewer services, or where on-site services are proposed, the adequacy of the physical site conditions to accommodate it;
- The adequacy and proximity of schools, recreation and community facilities;
- The adequacy of the road network in, adjacent to, or leading to the development;
- The potential for the contamination or sedimentation of watercourses or for erosion;
- Environmental impacts such as air, water and soil pollution and noise impacts;
- Previous uses of the site which may have caused soil or groundwater contamination;
- Suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps, or bogs;
- Compatibility of the development in terms of height, scale, lot coverage and bulk with adjacent properties; and
- That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town by-laws and regulations.

### **9.4 Development Schemes**

Development Schemes may be prepared during the planning period for areas specified in section 5.3. Development schemes become part of the Municipal Plan, and are prepared and approved in the same manner as the Municipal Plan.



## 9.5 Municipal Land Assembly

Municipalities are empowered by the Municipalities Act, to acquire lands for municipal works or economic development purposes. Such projects generally entail the Town acquiring parcels of land from private owners or other levels of government for a variety of reasons including:

- To facilitate new growth and development in an area which is actively being revitalized or redeveloped where such land assemblies cannot by virtue of time or money be assembled privately;
- To facilitate the development of municipal parks, recreation and conservation areas;
- To facilitate the development of municipal parking lots;
- To encourage or make available lands which by virtue of ownership are not available for development but which are necessary for logical and contiguous growth of the community;
- To facilitate redevelopment of a major non-conforming use where the redevelopment is either a conforming use or is consistent with the Municipal Plan.

During the planning period, Council may undertake land assembly projects and land transactions which are consistent with the objectives of this strategy.

## 9.6 Amending and Reviewing the Municipal Plan

Since conditions in the Town may change during the planning period, amendments to the Municipal Plan may be adopted by Council from time to time. Council may consider amendments to the Municipal Plan when:

- There is an apparent need to change policy due to changing circumstances;
- Studies have been undertaken which contain recommendations or policies which should be incorporated into the Municipal Plan;
- A Provincial Land Use Policy has been released that requires a change in policy by the Town; and
- There is a development proposal which provides sufficient information and rationale to support a change in the Municipal Plan.

After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Revisions will take account of development which can be foreseen during the following 10 years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

## 9.7 Strategic Implementation Program

The following 10 year Strategic Implementation Program provides the framework for ensuring action on the vision and policies within the Conception Bay South Municipal Plan. The Strategic Implementation Program is presented under the following headings:

- **Action** - Provides a brief description of the action to be undertaken;
- **Objective** - Identifies the objective of the Municipal Plan to which the action relates;
- **Timeframe** - Designates a target timeframe for completion; and
- **Responsibility** - Identifies a responsible party for initiating or overseeing that the action is taken and results achieved.

**Table 9.1: Conception Bay South 10 - Year Strategic Implementation Program**

Action	Objective	Timeframe	Departmental Responsibility
Completion of Multi-Year Capital Works Program (Water & Sewer)	To service 85 streets (1855 homes) with water and sewer services	2011-2021	Public Works and Engineering
Infrastructure Capacity Planning	Identify areas where increased capacity in storm and sanitary sewers required to accommodate development.	2012	Public Works and Engineering Planning
T'Railway Plan Implementation	Develop the T'Railway park as an outstanding municipal parkway	2011-2021	Recreation and Leisure Services
Gateway Development	To increase Town's business tax base	2011-2016	Economic Development
Pursue completion of Route 2 – Conception Bay South Bypass Road		2011-2015	Provincial Department of Transportation and Works
Recreation facility improvements to support hosting 2016 Canada Games	To upgrade town facilities to required standards.	2011-2016	Recreation and Leisure Services
Construction of new ice arena, Legion Road			Recreation and Leisure Services
Continue to Implement Recreation Master Plan	To coordinate the development of the Town's open space system with efforts for environmental protection, tourism, recreational facilities, commercial areas and residential neighbourhoods.	2004	Recreation and Leisure Services Planning and Development
Traffic Model/Improvement Plan	To review the function and safety of the Town's transportation network and develop a plan for improvements and ongoing maintenance.	2003	Engineering and Public Works Planning and Development
Support construction of Manuels River Rotary Education Centre			Manuels River Natural Heritage Society Town and funding partners

Action	Objective	Timeframe	Departmental Responsibility
Complete Partners for Climate Change planning Milestones			Planning and Development
Stormwater Drainage Sub-Area Management Plans for priority areas	To reduce potential for stormwater damage and new facilitate development.	2006	Engineering and Public Works
Review and Refine Hazard Mapping			Planning and Development
Conduct inventory of backfilling in wetland areas			Municipal Enforcement Section
Continue to build and maintain Town's geographic information system			Planning and Development

Schedule A  
Environmental Overlay Map

Schedule B  
Future Land Use Map

